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PIRACY IN THE GULF OF THAILAND: A CRISIS FOR THE INTERNATIONAL COMMUNITY

ORIGINAL
COMPLETED

HEARING

BEFORE THE

SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS

OF THE

COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

NINETY-SEVENTH CONGRESS

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CONTENTS

WITNESSES

	Page
Hon. Richard D. Vine, Director, Bureau of Refugee Programs, Department of State	4
Lu Phuoc, Vietnamese refugee	15
Catherine O'Neill, member, Citizens Commission on Indochinese Refugees	23
Bayard Rustin, cochairman, Citizens Commission on Indochinese Refugees	26
Charlotte S. Stevens, managing director, SEA Rescue Foundation, Inc	36
Col. Jack Bailey, president, Operation Rescue	53

MATERIAL SUBMITTED FOR THE RECORD

Antipiracy plan submitted by Col. Jack Bailey, president, Operation Rescue	57

APPENDIX

Supplementary questions and answers presented by Hon. Richard D. Vine, Director, Bureau of Refugee Programs, Department of State	71

PIRACY IN THE GULF OF THAILAND: A CRISIS FOR THE INTERNATIONAL COMMUNITY

THURSDAY, APRIL 29, 1982

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS,
Washington, D.C.

The subcommittee met at 2:10 p.m., in room 2172, Rayburn House Office Building, Hon. Stephen J. Solarz (chairman of the subcommittee) presiding.

Mr. SOLARZ. The hearing of the subcommittee will come to order. Today the Subcommittee on Asian and Pacific Affairs will hold the hearing on "Piracy in the Gulf of Thailand: A Crisis for the International Community."

The terror and brutality now commonplace in the Gulf of Thailand should be met by a swift and serious response from concerned nations around the world. A majority of the boats carrying Vietnamese refugees to Thailand have been preyed upon by pirates, with the average boat which is attacked being victimized about three times. With murder, rape, abduction, and theft in the Gulf of Thailand remaining at epidemic proportions, our country cannot bear silent witness to the barbaric cruelties inflicted upon so many of the Vietnamese men, women, and children who have taken to the high seas in search of freedom.

In 1981 the United States initiated a bilateral program with Thailand, under which the Thai Government received $2.2 million over 6 months for ships, planes, and other equipment used to prevent pirate attacks. More recently, the United States contributed over $1 million (or 30 percent) to a $3.67 million UNHCR program to deter piracy.

Unfortunately, however, the bilateral United States-Thai effort made little headway in preventing piracy, and the UNHCR program has yet to get underway.

ADDITIONAL $5 MILLION

Recognizing the steps undertaken to date have failed to provide a meaningful solution to this problem. Our subcommittee last week adopted an amendment to the foreign aid bill authorizing an additional $5 million in MAP funds to be earmarked to combat piracy in the Gulf of Thailand.

The subcommittee believes that this $5 million authorization should be a supplement, not a substitute for the $3.67 million UNHCR program.

To the extent there are those who feel that the adoption of this amendment may actually be a disincentive to the Thai Government to commence the UNHCR program, they should be on notice, as should the Thai Government and all other concerned parties, that this $5 million will be available, as I indicated, as a supplement to the UNHCR program rather than a substitute for it.

So there is no conceivable way in which the Thai Government could be induced to hold back on going ahead with an agreement with the UNHCR in order to wait for these funds since these funds are supposed to supplement rather than substitute for the UNHCR program.

THAI RESPONSE

I might add here that based on my recent discussions in Bangkok with Thai officials who are responsible for this program, that it is my firm belief that they would welcome these additional funds in order to enable them to do an even more effective job in dealing with the piracy problem.

I must say the Government of Thailand is to be commended for its willingness to respond within the limits of its capacities to this problem, particularly to the extent that resources are made available by our own country and other countries to enable them to do it.

I should also add that it was the view of the members of the subcommittee that the administration should creatively utilize the availability of these funds in an effort to induce other potential donors to contribute more as well, because as welcome as the initiation of a $3.67 million UNHCR program would be, I think we all have to recognize that this would be a minimal program. My impression is that even the officials of the UNHCR, who are responsible for putting this program into effect, believe that it would at best have a minimal impact on the problem.

Consequently, to the extent that we all believe something should be done about this problem, and I trust that everybody does believe something should be done about it, let us not delude ourselves into thinking that we have met our responsibilities to the victims of these piracy attacks by the UNHCR program in and of itself.

MEASURES NEEDED BEYOND UNHCR PROGRAM

Better the UNHCR program than nothing at all, but if all we have is the UNHCR program, we will at best have had a minimal impact on the problem. We certainly cannot satisfy our consciences if we rest content with that program alone.

We support the UNHCR efforts to tackle this international crisis, but at the same time, the subcommittee believes that Thailand and other neighboring countries should take antipiracy measures beyond those which will be put into place under the UNHCR program, which is what our $5 million supplement is designed to facilitate.

A cautionary note should be added here, however, that even if the rest of the Congress were to approve the subcommittee's recommendation for an additional $5 million to combat piracy, the numerous twists and turns of the foreign aid cycle could mean that these funds would not be available until much later in the year.

Any delay or opposition which may be encountered in the passage of this $5 million authorization should not be taken as an excuse for postponing effective implementation of the UNHCR program.

It must be admitted that the sizable budget deficits facing the Congress and the onset of what has been described by some of my colleagues around the Hill as compassion fatigue in the United States, makes 1982 an inauspicious time to request additional foreign aid for imperiled Vietnamese refugees.

UNITED STATES SHOULD NOT REMAIN INDIFFERENT

At the same time, however, we cannot in good conscience turn away from the pleas of these innocent people who have become the victims of unspeakable violence. The unanimous bipartisan action taken by our subcommittee last week in approving additional funds to combat the killing, kidnaping, and rape in the Gulf of Thailand represents a reaffirmation of the highest humanitarian traditions of our Nation.

While professing devotion to human rights and individual liberty, we cannot remain indifferent to the fate of thousands of Vietnamese refugees who risk their lives in a quest for freedom.

THAILAND'S CONTRIBUTIONS

In attempting to frame a compassionate American and international response to the crisis, it is useful to keep in mind the magnificent contribution Thailand has already made by providing first asylum to hundreds of thousands of Indochinese refugees.

Thailand's resources have already been strained by this refugee influx. And it is neither fair nor feasible to expect Thailand to carry the entire burden in the fight against piracy.

The primary purpose of our hearing today is to ascertain what effective measures can be taken to prevent pirate attacks on Vietnamese refugees in the future. It is not to assign or ascribe blame for this state of affairs to anyone. It is solely for the purpose of determining the extent of the problem and what we can effectively do about it.

To help us answer that question we will hear from a distinguished panel of witnesses: Ambassador Richard Vine, Director of the Bureau of Refugee Programs from the Department of State; who is accompanied by Capt. Thomas Bender from the East Asia and Pacific Branch of the Office of the Chief of Naval Operations.

Following Ambassador Vine's testimony, we will hear from Lu Phuoc, a Vietnamese refugee who fled his native Vietnam by boat and encountered the terror at sea; from Bayard Rustin and Catherine O'Neill from the Citizen's Commission on Indochinese Refugees, who have both just recently returned from Thailand; from Charlotte Stevens, managing director of S.E.A. Rescue Foundation, Inc.; and Col. Jack Bailey, president of Operation Rescue.

Let me say to the witnesses that we have a time problem because Secretary Haig will be briefing the Foreign Affairs Committee in this room in closed session on the Falklands crisis at 4 o'clock, which means that we have to clear out of here by approximately a quarter to 4. That gives us roughly 1 hour and 15 minutes.

Consequently, I would very much appreciate it if in the interest of making it possible for us to pursue this issue by asking questions of the witnesses, those who testify limit their testimony to no more than 10 minutes.

If you have a prepared statement, it will be included in the record in the interest of time because we simply must vacate the room at a quarter to 4.

I would appreciate it if you could summarize your testimony.

Ambassador Vine, please proceed.

STATEMENT OF HON. RICHARD D. VINE, DIRECTOR, BUREAU FOR REFUGEE PROGRAMS, DEPARTMENT OF STATE

Ambassador VINE. Thank you, Mr. Chairman. It is a great pleasure to be here. In addition to my colleagues from the Department of the Navy, I have some resources with me from the Department of State. And we are in a position to answer various questions. I hope you will permit me to draw on them if necessary.

You have my statement, Mr. Chairman. I ask that it be entered into the record. I have a few quick comments highlighting the main points in that statement.

First, I think piracy in that particular area of the Gulf of Thailand and south of Thailand, verging on Malaysia, have been there for a long, long time and has been a feature of history in the landscape for so long that most of us have become used to it.

We focused on it recently because the new aspect that has brought it to our attention in a way, so evocative of our humanitarian instincts, is the victimization of refugees fleeing by boat from Vietnam.

And they have proven to be, unfortunately, a very real target for the latent piracy that has always existed in the area. They tend to be small boats. They tend to be unarmed by the very nature of their trip. They tend more often than not to be carrying what meager riches and resources they have with them. And the upshot is they make themselves, I am afraid, very, very tempting prey.

OPERATIONAL PROBLEMS

The bilateral program that we have conducted with the Thai and the multilateral program, I think, all face very serious operational problems.

First of all, the area is one of the most heavily trafficked in the world. The amount of number of small boats in the area, as I understand it, is unbelievable. It is awfully difficult at any time to separate out those boats which are pursuing their legitimate purposes and those which might be engaged in nefarious activity.

By the same token, the bulk of the piracy takes place outside the territorial waters of the countries concerned; in international waters. And this raises very, very serious problems of international law and jurisdiction.

Third, in the area there are a variety of coastal states that have various rights and obligations. And it is probably in the first instance for them to take the initiative in this matter.

Under normal circumstances I think they would. It is perfectly plain that the Thai Government has in the past and continues to

exercise a fairly substantial amount of activity in respect of its territorial waters. But the bulk of the piracy, unfortunately, occurs outside that 12-mile limit.

DETERRENCE

The incidence of piracy has probably dropped in absolute numbers considerably in the past year. The predations dropped, however, not because of any efforts that have been made to deal with the pirates themselves, but rather simply because the number of boats fleeing Vietnam headed for Thailand has dropped. This is primarily due to the Thai policy of humane deterrence.

One sees quite graphically that the Thai policy of no longer presenting or permitting persons who arrive from Vietnam to be placed for resettlement elsewhere has already had the effect of cutting to about one-half or even less the number of boats and boat people who arrived in Thailand from Vietnam compared to last year.

The number going on to Malaysia is about the same but it has not, on the other hand, increased. So the net effect of the Thai policy has been a sharp reduction in the boat exodus. And since our concern is primarily with the humanitarian aspects of this issue; namely, the effects of these pirates on the refugees themselves, I think the flow of these refugees that must also be examined.

SOLUTIONS MAY CAUSE LARGE EXODUS

We could come to the irony that a solution to piracy which tended in any way to encourage or permit a larger boat exodus could present the Thai, the other countries of first asylum, and other resettlement nations with quite difficult technical problems and quite difficult political problems. And so, even as we attempt to counter the pirates, because as all in this room are aware, there are reasons, good and sufficient reasons, why people are leaving Vietnam. We have been working with the United Nations High Commission for Refugees, Mr. Chairman, to achieve the best possible type of orderly departure program from Vietnam, so that persons who feel that they have a legitimate reason to make their life elsewhere may leave with their families in ways that do not put their lives or the lives of their families in jeopardy.

In recent months there is every indication that the Government of Vietnam recognizes that that is a sound way to go. Since September there has been a very marked improvement in both the numbers and the processing of Vietnamese who are leaving via the orderly departure program. The numbers who have left since September now are more than 5,000—not just to the United States, to all countries; although some more than 1,500 are destined to come to the United States. And that pattern seems to be holding and perhaps even increasing.

So from our point of view we would like wherever possible to get at the problem of piracy by eliminating both pirates to the extent possible and the necessity for persons to leave Vietnam by boat. Far better they leave Vietnam for other destinations through orderly and peaceful means.

97-281 O - 82 - 2

Mr. Chairman, that concludes my statement. I am available for any questions.

[Ambassador Vine's prepared statement follows:]

PREPARED STATEMENT OF HON. RICHARD D. VINE, DIRECTOR, BUREAU FOR REFUGEE PROGRAMS, DEPARTMENT OF STATE

Mr. Chairman:

Thank you for inviting me to appear today before this Subcommittee to discuss pirate attacks against Vietnamese boat refugees in the Gulf of Thailand, and actions to combat them.

The refugee victims of piracy have aroused the concern and compassion of people throughout the world. But bare statistics on piracy hardly reflect the degree of human suffering they undergo. They are first robbed of their meagre material possessions, then, of their human dignity, and sometimes, of their lives. We may never know of those who suffered and died in incidents in which the attackers senselessly or by design made certain there were no survivors. What we do know from surviving victims is an appalling account, abhorrent to all civilized people.

But condemning piracy and sympathizing with its victims is not the same as combatting it. The international community, the United States included, has found it difficult to translate its humanitarian concern into effective action. The reasons for this are many and complex.

Piracy has been endemic in these waters for hundreds of years; while refugees are a recent human phenomenon in this region, pirates are not. But refugees are an especially vulnerable target; as they flee they bring some money or other possessions with them, but because they flee, they have no protection from their homelands. They cannot arm themselves for self protection. Thus the pirates become bolder and more numerous. Acts of piracy against refugees have been reported both within and outside territorial waters and on either side of an international water boundary. Who bears responsibility for the maintenance of safe passage when the adjacent maritime states are admittedly unable to do so?

Moreover, there are operational problems in mounting efforts to combat piracy, most notably the difficulty in distinguishing pirate craft from the thousands of other small boats similar in appearance but engaged in harmless, legitimate activities. Simply stated, some pirates may be sometime fisherman, but not all fishermen are sometime pirates; indeed, fishermen in the area have in many instances assisted refugees by providing them fuel, food, water and sailing directions.

Notwithstanding these difficulties, the Department has since early 1980 sought to focus international attention on pirate depredations against refugees and to promote action to counter them. An early attempt in that year by UNHCR to develop a regional approach to the problem was unsuccessful, so the U.S. sought to develop with the Royal Thai Government a bilateral effort. Following agreement in September 1980 on a $2 million bilateral anti-piracy arrangement, the Royal Thai Navy formally inaugurated its program on February 6, 1981, having provided a P-3 surveillance aircraft until the arrival of two O-2 spotter aircraft under the U.S. program on that date. Communications equipment and spare parts, and the refurbishment of an aging coast guard cutter which already belonged to the Thai Navy were also covered by the agreement. In addition, the U.S. reimbursed the Royal Thai Government for the per diem costs of Thai Navy personnel involved in the program. The Department has already furnished to the Subcommittee a written report summarizing the operational plan and evaluating the results of the bilateral arrangement. Here I only wish to repeat the Department's judgment that the program had beneficial effects, not so much in terms of the numbers of pirates apprehended in flagrante or frightened away from

their intended victims but more importantly, though in unidentifiable ways, by deterring would-be pirates and by increasing the receptivity of the RTG and the Thai public to anti-piracy activities.

I should note at this point that the United States Navy also provided relief to the boat refugees transiting this area through the P-3 overflight program. In July 1979, the President authorized the dedication of P-3 aircraft specifically to survey the South China Sea for refugees in distress on the high seas, including refugees under attack by pirates. These aircraft were able to communicate via radio with passing merchant ships about refugee boats and thereby assisted in the rescue of hundreds of refugees. And in at least two instances, P-3 aircraft were able to scare off pirate attackers. This special program was terminated in September 1980 as the bilateral program came to function. Additionally Navy ships and aircraft, continue to be under specific instruction to rescue refugees at sea. Last week, for example, the USS Indianapolis picked up 30 refugees at sea.

As the six-month U.S.-Thai program approached its termination date of September 30, 1981, the U.S. offered another $600,000 to sustain operations for an additional

six months. The RTG believed, however, that its Navy could not perform the anti-piracy task credibly and creditably without substantially increasing its scope and intensity, with more equipment and operational funds. And during this period the International Committee of the Red Cross (ICRC) had called for effective international action to combat this menace. Spurred by that call, last September the UNHCR convened the first of a number of meetings of countries believed interested in the piracy problem, including all of the countries which eventually became donors to the program which emerged. UNHCR initiated preliminary contacts with the Thai Government and, by late fall, reached agreement with the RTG on the broad outlines of a $3.67 million, one-year anti-piracy program. Twelve developed nations have pledged to finance the effort, with the U.S. contributing $1.04 million, or roughly 30 percent of the total.

The operational details of the UNHCR-Thai arrangement are still under active negotiation and, while full agreement should be achieved shortly, it is not appropriate for me in this forum to discuss the program except in general terms. Under the new agreement, the Thai Navy is to patrol the same area of the Gulf of Thailand as under the former bilateral program, that area being most infested with pirates. Importantly, however,

surface patrols will double in intensity with the addition of two fast patrol boats and two decoy vessels ("Q-Boats") to the anti-piracy flotilla. The O-2 aircraft will also be employed as they were during the U.S.-Thai bilateral program. Also under the UNHCR plan, Thai boat owners will be required to register their vessels with the RTG. Registration data will be computerized and used in identifying suspects in piracy incidents and other illicit activities. The U.S. and other donor countries look to the UNHCR to perform day-to-day monitoring functions for the program. The donor countries, meeting regularly as the Joint Consultative Committee, will advise and, as necessary, assist the UNHCR in the overall program management and evaluation tasks.

For the present, the Department believes that the most important item on the anti-piracy agenda is to put the UNHCR program into operation as soon as possible: the lives of helpless refugees may be at stake. We are under no illusion that the program, even if implemented to perfection, can "solve" the piracy problem. We are also aware that the UNHCR plan has been criticized as "too little, too late," and that other, more elaborate and expensive proposals have been advanced. Whatever the merit of such assertions, however, the fact is that the

UNHCR program presently under negotiation with the RTG is the only mechanism for fighting piracy that can be put into action in the near future, in time to save lives and prevent suffering now and in the several months ahead. Should it be necessary to extend the program beyond its originally anticipated one-year life span, improvements can and will be made in design and implementation based on the experience gained during the initial twelve months.

But as I have indicated, it is the refugees, not the pirates, who are the new phenomenon in the area. The Department of State has worked very closely with the UNHCR to establish an Orderly Departure Program from Vietnam. This program was resumed last fall for departures for the United States and our expectation is that with the active cooperation of the Vietnamese authorities, it can provide a safe, legal means by which substantial numbers of Vietnamese may leave their country. With this avenue available, it does not in my view make sense for persons to place their lives in jeopardy not only to the normal hazards of the sea but, for those who cross the Gulf of Thailand toward southern Thailand and northern Malaysia, also to the virtual certainty of attack by pirates.

It is difficult to say if the existence of the ODP by

itself will lead to a decrease in clandestine boat departures. I should point out however, that a comparison of boat refugee arrivals between August 1981 through March 1982 to the same period of time in 1980-81 shows a 27 percent decrease in refugee arrivals and this is the period of time in which the ODP resumed. An additional factor may have been, however, the increased severity of punishment for those refugees who were caught trying to escape. Whatever the reason, it is our view that the ODP is a going and viable means for Vietnamese to depart safely and legally; this is preferable to the clandestine departures; and if these people do so choose the ODP route, there should be a continuing decrease in the boat refugee flow.

I am prepared to receive any questions you have at this time.

ANTIPIRACY EFFORTS AS PULL FACTOR

Mr. SOLARZ. We will want to hear from the other witnesses, but I hope they will bear with me if I ask you just one question on this point. The thrust of your testimony, if I understood it correctly, frankly concerned me.

Did I understand you, in effect, to be saying that it would be our view that an effective antipiracy program would substantially increase the pull factor, thereby resulting in a significant increase in the number of Vietnamese refugees fleeing by boat; and to the extent that it would substantially increase the number of refugees leaving; that we would be opposed to an effective antipiracy effort because that would create political problems for Thailand and other countries if the number of refugees increased?

Ambassador VINE. If I had said that you would have reason to be concerned. I did not intend that.

I did not deal with the UNHCR's program because you dealt with it yourself so well. We took every initiative in pressing for that program and have made the largest contribution to it.

Obviously as long as the piracy problem exists, we will be concerned.

Mr. SOLARZ. I know you did not say it but, frankly, I was concerned that you implied it.

Is it your belief that an effective antipiracy program, by which I mean one which completely or substantially reduced piracy attacks, would, in fact, constitute a significant pull factor and that it would result in a significant increase in the number of boat people?

Ambassador VINE. It is awfully difficult to say, Mr. Chairman, without seeing the specific program. If the program were one, for example, that provided surveillance over large areas and eliminated virtually all of the obstacles at sea, including storm damage, including the possibilities of drowning, at that point I think it probably would.

I doubt very much whether anyone could mount a program like that. Otherwise, it depends upon a lot of variables that you would have to look in context.

Mr. SOLARZ. To the person who dies, whether they die by a knife wound or by drowning, they are still dead. Obviously if there was a way to solve the piracy problem and simultaneously prevent people from drowning, that would from a humanitarian point of view be all for the good. But I just want to get your response on this one point.

U.S. SUPPORT

If an effective antipiracy program could be developed, and let us leave aside how it could be developed or how much it would cost, but if an effective antipiracy program could be developed, would we be prepared in principle to support such an effort even if it resulted in an increase in boat people?

Ambassador VINE. I repeat, Mr. Chairman, we have ourselves taken the initiative, with respect to the UNHCR program, that we are supporting that both financially and with all of our ideas and with all of our technical expertise.

The answer to your question is "Yes." We believe that will be an effective program. When one gets beyond that I would have to look very carefully at any program before I made a judgment.

I think one difficulty about our conversation may be that you are talking about an effective overall antipiracy program, but I am talking about a program that is effective in respect of the problems of refugee affairs, for which I am responsible.

I would have to defer to my colleagues in the Navy and elsewhere as to how one would defeat piracy as a longrun proposition all by itself.

Mr. SOLARZ. We will get back later with additional questions I am sure. I think that the other witnesses will presumably, at least some of them, address themselves to the question of how effective the UNHCR program is likely to be once it is adopted.

Obviously if that solves the problem, then there is no need for any additional action on anybody's part.

If it does not solve the problem, then I think we delude ourselves if we think that we have responded effectively or compassionately to it. I appreciate your testimony, Mr. Ambassador.

If it is all right with you, can we take testimony from the other witnesses and then have you respond to questions?

Ambassador VINE. I thought I had asked beforehand that we could give our testimony and answer questions.

Mr. SOLARZ. Ordinarily I would have no problem, but because of the time constraints, I want to make sure that we can hear the testimony from the other witnesses.

Thank you very much.

Our next witness will be Lu Phuoc. Perhaps the other witnesses could all come up to the table.

I understand Mr. Phuoc has a statement which will be read by an interpreter. If you want to proceed and read the statement in the interest of time, that would be appreciated.

STATEMENT OF LU PHUOC, VIETNAMESE REFUGEE, ACCOMPANIED BY INTERPRETER

Mr. PHUOC [through interpreter]. Mr. Lu Phuoc asked me to read a summary of his statement. Because of the time constraints, he asked that I read the summary only and that he will submit the entire testimony for the record.

I, the undersigned, Lu Phuoc, born November 15, 1939, arrived in the United States under the auspices of the U.S. Catholic Conference on January 31, 1982. I am grateful to have this opportunity to describe the hardships I have suffered at the hands of the Thai pirates while crossing the Gulf of Thailand, and I hope it will help this committee and the American people to understand the dimensions of the problem.

I left Vietnam May 23, 1981, at 2:30 a.m. aboard a boat approximately 7 meters long and 1½ meters wide. This boat carried a total of 18 passengers, including 3 children under the age of 12, 4 women, and 11 men.

On June 11, 1981, 14 of us reached the Thai shore, several days after our boat was sunk in a storm. Below, I recount some events of our voyage, including eight separate attacks on our boat by Thai pirates.

ROBBERY

Shortly after reaching international waters, one of our motors broke down. The first attack on our boat occurred May 25, 1981. I could see 15 men aboard. They carried daggers and axes and one man aimed a large pistol at us. They boarded our boat, searched each of us and all the baggage. When they left they took 0.8 tael of gold and a watch. Fortunately, none of us were harmed during this incident.

Three hours after the first attack our petroleum motor gave out and we were left floating powerless on the sea.

RAPE

About 10 a.m. next day, May 26, 1981, we saw another fishing boat with the Thai flag approaching us. There were 14 men onboard with bayonets and axes. We could only stand by and watch as they searched our boat; searched the women in a filthy way, all of them laughing as if they were having a good time.

Then three of the Thais raped three of the women on board our boat in front of our eyes. Finally, the Thai left us, taking 0.3 tael of gold and our marine compass with them.

We had been drifting for 3 days and had been without food and water for 3 days when we sighted a large Thai fishing boat on May 29, 1981. We were given some food, but while we ate some of the Thais jumped onto our boat and with pincers removed the petroleum motor and carried it back onto the boat.

They towed us for about a day or so. At one point the Thais requested that two of the women take a bath and put them in a closed room. From time to time I heard screams coming from this room, but I could not see anything inside. At midnight they returned us to our boat and cut us loose.

ABDUCTION

It was approximately 8 a.m., 2 days later, when we sighted a group of 15 fishing boats. Several of the boats approached us but turned away without offering help. At 4 p.m. two of the boats from this group came toward us. Both were flying Thai flags. One boat kept some distance from us, as if to watch, while the other came quite close.

The fishermen made hand signs inviting the children to board the boat for food and water, which they did. While the three children ate, the Thai men made signs for the women to board, also. Once on board the fishermen returned the three children who had been fed and one woman, the pilot's wife, to our boat. They cut the rope holding our boats together and carried the three women, Trang, Hong, and Hanh, away with them.

Now there were only 15 people on our boat; 3 children, 1 woman, and 11 men.

On June 1, 1981, we met another Thai fishing boat. The six men on board seemed to be gentle and kind. The Thai gave us hot rice and fried fish. They offered to bring us to Songkhla refugee camp in exchange for some gold or dollars. We collected 0.7 tael of gold and $40 among ourselves.

The Thais seemed happy for awhile to tow us. The Thais especially liked Sac, for he had been a fisherman in Vietnam, and helped the Thais to catch and prepare the fish.

All went well until 2 a.m., when the Thais revealed their handguns and knives and put all of us except for Sac back into our boat. Then like the other pirates, they left us to drift and die.

Now we were just 14; 3 children, 1 woman, and 10 men.

Following this incident, we met and were robbed by Thai pirates on three more occasions. By the sixth, seventh, and eighth attacks we had been completely stripped of valuables. The Thais, angered that they could not find gold on our boat, would beat the men and strip us of some clothing. I reached Thailand wearing only my underclothes. Everything else had been seized.

On June 1, 1981, we were again in international waters, afloat but without any hope or plan for life.

ASSISTANCE OF FISHERMEN

On June 8, 1981, the sea became stormy. However, another Thai fishing boat approached us. The fishermen helped us to board their craft, and soon after we watched the high waves sink our boat. The fishermen proved to be friends. The fishermen fed us for 3 days

and carried us to an island near the Thai shore. From here we were able to make our way through shallow waters to the seashore. We arrived in Thailand on June 11, 1981.

On August 9, 1981, I was in Chanburi refugee camp and I met Trang and Hong, two of the women abducted during the fourth attack on our boat. According to them, the Thais had kept them on board for 1 week, and then thrown them into the water with three small boys.

Hanh, the third woman, did not survive. Trang and Hong were rescued by a Thai patrol boat and carried to Songkhla refugee camp. The abduction and all other attacks on our boat which occurred during the voyage were reported to the International Red Cross in Thailand.

From many conversations with refugees in the Thailand camp, I believe that about 90 percent of all refugee boats traveling in the Gulf of Thailand were attacked by Thai pirates, and most of them several times.

During the period May 25 to June 8, 1981, in which our boat was attacked eight times, I never saw a Thai patrol boat or any evidence of antipiracy activity in the Gulf of Thailand.

NEED FOR EFFECTIVE PROGRAM

It is my firm belief that any successful antipiracy strategy must enlist the full participation of the Thai Government.

Such a strategy ought to include: No. 1, increase in the number of Thai patrol boats in the gulf to prevent robbery and assault in these waters;

No. 2, imposition of penalties on pirates by the Thai Government;

No. 3, presence of the international community in these waters in the form of vessels empowered to rescue refugees at sea or at least to provide refugees with food and water so that they may continue their flight without a temptation to leap into the jaws of wolves.

No. 4, encouragement to Thai fishermen by the Thai Government to follow the international ethic in rescuing refugees at sea; or failing this, to at least provide refugees with temporary assistance, such as food and water.

It is my sincere hope that this statement serves to alert the Government of the United States and its people to the continuing threat to refugees fleeing Communist Vietnam from the Thai pirates in the Gulf of Thailand, and that the United States will be moved to pursue an active role in ending this barbarism.

Thank you for allowing me to tell my story.

[Mr. Phuoc's prepared statement follows:]

PREPARED STATEMENT OF LU PHUOC, VIETNAMESE REFUGEE

I, the undersigned, Lu Phuoc, born November 15, 1939, registered under alien number 25-313-129, and formerly a corporal of the armed forces of the Republic of Vietnam, arrived in the United States under the auspices of the U.S. Catholic Conference on January 31, 1982. Currently I am employed as kitchen helper at the Wu Garden restaurant located at 9020 Mathis Avenue, in Manassas, Virginia 20010, and reside at 8791 Peabody Street, Manassas, Virginia 22110. I am grateful to have this opportunity to describe the hardships I have suffered at the hands of Thai pirates while crossing the Gulf of Thailand, and I hope it will help this committee and the American people to understand the dimensions of the problem.

I left Vietnam May 23, 1981 at 2:30 a.m. aboard a boat approximately seven meters long and one and one-half meters wide. This boat carried a total of eighteen passengers, including three children under the age of twelve, four women (the pilot's wife and three single women in their twenties) and eleven men. Fuel and provisions consisted of thirty liters of gasoline, one hundred liters of petroleum, eight liters of motor oil, one marine compass, twenty kilograms of rice, forty liters of water and two fishing nets with which we planned to disguise ourselves as fishermen. On June 11, 1981, fourteen of us reached the Thai shore, several days after our boat was sunk in a storm. Below, I recount some events of our voyage, including eight separate attacks on our boat by Thai pirates.

By noon on May 24, 1981 our boat was safely past four stations of the Vietnamese Communist Coastal Guard, and we were traveling in international territorial waters. Shortly after reaching international waters one of our motors, the one fueled by gasoline, broke down; our pilot dropped this

motor into the sea. We now had one motor left, fueled by petroleum to power our boat.

The first attack on our boat occurred on May 25, 1981. We saw a boat flying the Thai flag, about thirty meters long and seven wide, approaching us. As the boat drew near, I could see fifteen men aboard; they carried daggers and axes, and one man aimed a large pistol at us. We did not carry arms ourselves, and so could not repel them. Neither could we outrun the Thai boat, because it was larger and more powerful than ours. We waited with our hands in the air as they boarded our boat, searched each of us and all the luggage. When they left, they took 0.8 tael of gold (one tael = 38 grams of gold) and a watch. Fortunately, none of us were harmed during this incident.

Three hours after the first attack our petroleum motor gave out, and we were left floating powerless on the sea. Everyone was terrified, because the food and water were running out. We prayed to God to help us and waited. About 10:00 a.m. the next day, May 26, 1981, we saw another fishing boat with the Thai flag approaching us. There were fourteen men on board with bayonets and axes and, as before, we could not offer any resistance. We could only stand by and watch as they searched our boat, searched the women in a filthy way, all of them laughing as if they were having a good time. Then, three of the Thais raped three of the women on board our boat in front of our eyes. Only the pilot's wife, who was very skinny, was spared. Finally the Thais left us, taking 0,3 tael of gold and our marine compass with them.

We had been drifting for two days and had been without food or water for three days when we sighted a large Thai fishing boat on May 29, 1981. As the boat came closer, the men on board made signs of eating and drinking with their hands. Of course, we were grateful and relieved to be offered

some food and water. Our boats were fastened with a rope, and all of our party boarded the Thai vessel. We were given some food, but while we ate some of the Thais jumped onto our boat and with pincers removed the petroleum motor and carried it back onto their boat. They towed us for about a day or so. At one point, the Thais requested that two of the women take a bath, and put them in a closed room. From time to time I heard screams coming from this room, but I could not see anything inside. At midnight they returned us to our boat and cut us loose.

It was approximately 8:00 a.m. two days later when we sighted a group of fifteen fishing boats. We prayed that these fishermen might take pity on us, and give us some food or water. We flagged them for help by raising a white shirt on a rod and waving. Several of the boats approached us, but turned away without offering help. At 4:00 p.m. two boats from this group came toward us; both were flying Thai flags. One boat kept some distance from us, as if to watch, while the other boat came quite close. The fishermen made hand-signs inviting the children to board their boat for food and water, which they did. While the three children ate, the Thai men made signs for the women to board also. Once on board, the fishermen returned the three children who had been fed and one woman, the pilot's wife, to our boat. They cut the rope holding our boats together, and carried the three women, Trang, Hong and Hanh, away with them. Now there were only fifteen people on our boat: three children, one woman and eleven men.

On June 1, 1981 we met another Thai fishing boat. The six men on board seemed to be gentle and kind. On board their boat, the Thais gave us hot rice and fried fish. When we had

finished this good lunch, they offered to bring us to Songkhla refugee camp in exchange for some gold or dollars. We were very anxious to reach the camp, and we collected 0.7 tael of gold and $40.00 among ourselves. The Thais seemed happy for awhile to tow us. There was a lot of singing, and they gave us some of their cigarettes. The Thais especially liked Sac, for he had been a fisherman in Vietnam, and helped the Thais to catch and prepare the fish. All went well until 2:00 a.m. when the Thais revealed their handguns and knives and put all of us except for Sac back into our boat. Then, like the other pirates, they left us to drift and die. Now we were just fourteen: three children, one woman and ten men.

Following this incident, we met and were robbed by Thai pirates on three more occasions. By the sixth, seventh and eighth attacks we had been completely stripped of valuables. The Thais, angered that they could not find gold on our boat, would beat the men and strip us of some clothing. I reached Thailand wearing only my underclothes. Everything else had been seized.

On June 1, 1981 we were again in international waters, afloat but without any hope or plan for life. On June 8, 1981 the sea became stormy. We waited helplessly as the sea grew rougher, certain that this time we would all die. However, another Thai fishing boat approached us. The fishermen helped us to board their craft, and soon after we watched the high waves sink our boat. These fishermen proved to be friends. They told us that they had once been arrested for fishing in

Vietnamese waters. When they finally escaped from Vietnam, some Vietnamese fishermen brought them safely to Thai waters. Thus they wished to repay the same kindness. The fishermen fed us for three days and carried us to an island near the Thai shore. From here we were able to make our way through shallow waters to the seashore. We arrived in Thailand on June 11, 1981.

On August 9, 1981 I was in Chanburi refugee camp, and I met Trang and Hong, two of the women abducted during the fourth attack on our boat. According to them, the Thais had kept them on board for one week, and then thrown them into the sea with three small buoys. Hanh, the third woman, did not survive. Trang and Hong were rescued by a Thai patrol boat and carried to Songkhla refugee camp. The abduction and all other attacks on our boat which occurred during the voyage were reported to the International Red Cross in Thailand.

From many conversations with refugees in the Thailand camp, I believe that about 90% of all refugee boats traveling in the Gulf of Thailand were attacked by Thai pirates, and most of them several times. During the period May 25 - June 8, 1981 in which our boat was attacked eight times, I never saw a Thai patrol boat or any evidence of anti-pirate activity in the Gulf of Thailand. It is my firm belief that any successful anti-pirate strategy must enlist the full participation of the Thai government. Such a strategy ought to include:

1) increase in the number of Thai patrol boats in the Gulf to prevent robbery and assault in these waters;

2) imposition of penalties on pirates by the Thai government;

3) presence of the international community in these waters in the form of vessels empowered to rescue refugees at sea, or at least to provide refugees with food and water so that they may continue their flight without the temptation to leap into the jaws of wolves;

4) encouragement to Thai fishermen by the Thai government to follow the international ethic in rescuing refugees at sea, or failing this, to at least provide refugees with temporary assistance such as food and water.

It is my sincere hope that this statement serves to alert the government of the United States and its people to the continuing threat to refugees fleeing communist Vietnam from Thai pirates in the Gulf of Thailand, and that the United States will be moved to pursue an active role in ending this barbarism. Thank you for allowing me to tell my story.

Mr. SOLARZ. I want to thank you very much, Mr. Phuoc, for sharing that story with us. I think my colleagues are all concerned about the kind of tragic tale which you tell, and we certainly want to do what we can to be helpful.

I think your testimony today has served a very useful purpose in alerting the Congress to the exact nature of this problem.

We will hear next from Mr. Rustin and Ms. O'Neill, who recently have returned from Thailand as representatives of the International Rescue Committee, and who have some recommendations for us.

Mr. RUSTIN. Thank you very much, Mr. Chairman. Our full report will be submitted. In addition, we have some clippings from around the world that we believe the subcommittee might well peruse for their advantage.

Mr. SOLARZ. We will include the report in the record of the hearings without objection.

Mr. RUSTIN. If it is all right with you, Mr. Chairman, Ms. O'Neill and I would like to divide the time and I think it would be better if she led off.

Mr. SOLARZ. By all means.

STATEMENT OF CATHERINE O'NEILL, MEMBER, CITIZENS COMMISSION ON INDOCHINESE REFUGEES

Ms. O'NEILL. Seven years ago tomorrow the United States completed its final pullout from Vietnam. Those frantic last moments with desperate Vietnamese trying to escape along with the last of the American departees were captured by film and television cameras for all the world to see.

Seven years later there are still thousands of desperate Vietnamese trying to leave the persecution and discrimination they suffer;

often because they worked with Americans. But now the world no longer sees and has turned its back. Yet the harrowing escapes, as we have heard, still continue.

Families pool their savings and leave in small rickety fishing boats. They try to cross the Gulf of Thailand to Malaysia or to Thailand and to a new life.

It is a journey of several hundred miles. The odds are that during their trip their boats will be attacked by pirates; that in front of family members young girls will be raped and abducted; all will be robbed; some will be murdered; and attempts will be made to sink their boat.

Still, these families with grandparents and babies in arms risk everything for a new life elsewhere.

PIRACY STORIES ARE COMMON IN CAMPS

On our recent visit I talked to one young girl who left Vietnam with her younger sister and two younger brothers. During the voyage they were attacked seven times by pirates, as Mr. Phuoc experienced. Her sister and three other young girls were abducted and have never been found. And the young girl that I talked to, crying in my arms practically, was gang raped several times by the pirates that attacked their boat.

When you talk to the workers working in the camps in Thailand, they tell you that young Trang's story is "normal"; that the attacks and the experiences of the Vietnamese people on the boats are so grisly that the outrageous became the norm.

STATISTICS SHOW MANY ATTACKS

The United Nations High Commissioner for Refugees statistics of the boats which have managed to arrive, and of the statistics which we know, bear out the scope of the violence.

Last year of the 357 boats arriving in Thailand with refugees from Vietnam, with an average of 35 people per boat, 80 percent of all the boats were attacked by pirates in the high seas, with an average number of over three attacks per boat.

And I notice that Ambassador Vine's statistics for 1982 continue to show this trend; the majority of the boats being attacked several times, and on each boat numbers of peoples being murdered, raped, and abducted.

ONE BOAT'S ATTEMPT TO FIGHT BACK

Only once over the years have the terrified Vietnamese refugees managed to defend themselves against the violent pirates.

I have talked to one of the men on that boat. A naval officer trained in the United States in both Newport and San Francisco told me it was the second pirate attack. They had raped the young girls. They were throwing babies in the ocean when the Vietnamese men went for fishing baskets and screeching managed to push back the Thai pirates.

When they got to Thailand, all 19 Vietnamese men were put in jail and charged with piracy; the one time that they have ever had a victory, the Vietnamese refugees, against the Thai pirates.

Even now, as this hearing goes on, the carnage continues. For the last 7 months there has been no international policing of the Gulf of Thailand to see that some safe passage can be guaranteed the refugees. No country has had official ships or spotter planes circling in the Gulf of Thailand to decrease the likelihood of wanton attacks and the deliberate sinking of boats at sea.

FORMER UNITED STATES-THAI PROGRAM INEFFECTIVE

When memories were fresher and the world was watching, the United States had naval training flights and ships in the area on the lookout for refugees in distress. But that was discontinued. Then the United States, under U.N. auspices, founded a 1-year antipiracy program with two small spotter planes.

That program, I might point out, was almost completely ineffective since the devastating U.N. statistics I refer to, and even Mr. Phuoc's own testimony of his experience, occurred during the time when the last U.N. program was in "full force." Those limited funds ran out last September, and in that 7-month period of time there has been nothing. The United Nations has tried to raise money for a slightly expanded 1-year antipiracy program. It has taken 7 months to raise $3 million from the richest nations on Earth. The money has trickled in. Now those involved say the commitments have been made. And the United Nations has sent people to Thailand to discuss an agreement on how the money will be spent and monitored.

It will still be a while before any patrol planes fly out to help those in distress. And when they do, they will be too little because the U.N.'s program, as it is specifically outlined, is only a marginal increase over the last program which was ineffective. And the funds will run out before a year is over.

Why does the civilized world not feel ashamed on turning its back on the brutalization of innocent refugees at seas? The most cynical of theories is that there is a tacit agreement among countries to discourage the additional departure of more refugees. The mayhem they now face on the seas should act as a "disincentive."

UNITED STATES MUST ASSUME LEADERSHIP

Last month, as a delegation from the Citizens Commission On Indochinese Refugees, we visited Thailand. We talked to the victims, the volunteer workers, the U.N. employees, the Thai Government leaders, and the American Embassy officials. We came back convinced that the United States must be prepared to assume more responsibility for creative leadership. We must broaden our own commitment, and we must pressure other countries to respond.

In that connection, I want to thank the Subcommittee on Asian Affairs and Congressman Solarz for recommending that the United States undertake a $5 million supplemental commitment and begin to pressure our other allies to actually put some resources behind voiced concern.

Bayard Rustin is now going to talk about some of the specific recommendations we would like to add to the record.

I would like to say, just in closing, that if we as a Nation are not willing to expend efforts to stop babies from being left to the

sharks in the Gulf of Thailand, we are hardly in a position to lecture others on human rights or to congratulate ourselves for our compassion to the unfortunate.

STATEMENT OF BAYARD RUSTIN, COCHAIRMAN, CITIZENS COMMISSION ON INDOCHINESE REFUGEES

Mr. RUSTIN. Mr. Solarz, thank you very much for having us here today. I have since 1976 made four trips to Thailand. And as a result of that experience, I should like very swiftly to make several recommendations.

We believe, No. 1, that the United States shall order the resumption of P-3 surveillance flights over the Gulf of Thailand.

No. 2, we believe that training missions out of Subic Bay should be directed where possible to assure that the flight patterns cover the areas most frequently used by refugee boats.

Next, that ships of the Southern Fleet should once again be encouraged to search out more vigorously for refugee boats and to come to their aid.

We would further propose that the United States take the initiative in providing grants, and we were proposing $10 million to the royal Thai Government in order to increase the magnitude and effectiveness.

I point out to you, Mr. Chairman, that the amount of money that has been collected by the UNHCR will scarcely last a year. I believe that this should be put on a sound basis of a 3- or 4-year plan. And I believe the U.S. Government contributing those $10 million or, in your case, $5 million, will certainly be of great significance.

I believe, also, that we ought to pursue the question of orderly repatriation and make certain that families, as families, can leave, if that is possible.

We also believe that we are, in fact, dismayed over the relatively small number of pirates who are apprehended and even smaller number that are actually convicted.

It is our view that there must be some kind of a U.S. presence in this process, particularly if we are to give the kinds of money we are, because the humane deterrence notion, which some people in Thailand hold, is one which we do not believe is humane deterrence, but the extension of inhumanity.

INTERNATIONAL TASK FORCE

Let me say that in the international field, we believe that we should envision the formation of an international task force of ships, perhaps under the aegis of the United Nations, to patrol the sealanes of the Gulf of Thailand.

Such a task force could be made up of ships not only from the ASEAN countries but from the United States, Japan, France, Great Britain, Norway, Italy, Germany, and Australia, as well.

Finally, we are aware as well of the project to establish a semipermanent antipiracy force composed of two mother ships and some 20 trawlers to patrol the areas most frequently traversed by refugee boats. We encourage such efforts and urge the United States and other nations to give them consideration.

May I say, finally, Mr. Chairman, that we are a democracy. And we are at the moment trying to conserve money. We have, in fact, cut a number of domestic programs, which I should rather have seen go on. But we cannot divide the world between those of us who stand for freedom as against those who do not without taking such questions as these most seriously and being prepared to pay the price of taking them seriously.

AMERICA MUST NOT LOSE SENSITIVITY

It would, therefore, be in your interest to know that recently 100 black leaders in the United States met. We met when 40 and 50 percent of our youth are unemployed. We met in a situation in which there are 1 million economic untouchables in the black community, who because of education and other matters may not work again in their lives.

Nevertheless, for humanitarian and political reasons, that 100 black leaders took the view that we should, indeed, sacrifice to save these people and, indeed, sacrifice to bring even more to the United States, if they cannot return home, on a very simple proposition; that if America loses its sensitivity to deal with people being raped upon the sea, who thinks they will ever have the sensitivity to deal with black unemployment in the United States?

[Ms. O'Neill and Mr. Rustin's joint prepared statement follows:]

JOINT PREPARED STATEMENT OF BAYARD RUSTIN, COCHAIRMAN, AND CATHERINE O'NEILL, MEMBER, THE CITIZENS COMMISSION ON INDOCHINESE REFUGEES

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PIRACY IN THE GULF OF THAILAND

A CRISIS FOR THE INTERNATIONAL COMMUNITY

Seven years ago, the last helicopters left the roof of the U.S. Embassy of Saigon and a new chapter in the stormy history of Southeast Asia began. Who would have thought that over the ensuing years hundreds of thousands of Vietnamese men, women and children would commit their lives to the sea to escape their homeland in flimsy unseaworthy boats? Who would have thought that to this day several thousand persons each month would embark on this hazardous voyage? As if fighting the elements were not enough, who would have thought that, in this day and age, over 80% of the boats fleeing Vietnam for safety on the beaches of Thailand would be attacked--not once, not twice, but an average of three times--by pirates?

Alarmed and appalled by continuing reports of piracy on the high seas, and especially the eyewitness accounts of the most brutal incidents of torture, rape, murder and abduction, the Citizens Commission on Indochinese Refugees sent a mission to Thailand in March 1982. This mission confirmed the continuing atrocities and returned with the hope that something could and would be done if only the conscience of people of good will could be reached.

The Citizens Commission issued a statement in Bangkok on March 12, 1982, summarizing its findings. The text of that statement is attached.

It indicates that a modest effort to combat piracy was initiated by the Royal Thai Government in 1981, with financial support provided by the United States. It included the use of two spotter aircraft, a coast-guard cutter and a decoy boat. They constituted the anti-piracy "task force." In addition, the United Nations High Commissioner for Refugees donated a patrol boat to the Thai Navy.

Unfortunately, funding for this task force ran out in September 1981, and its work came to an end. Subsequently, the United Nations High Commissioner for Refugees, in December 1981, launched an appeal for $3.67 million to mount a new anti-piracy program. We understand that the funds required for this operation have now been pledged. However, we can only note with chagrin that, to the best of our knowledge, the new program has not yet started. In fact, there appears to have been no concentrated operational effort to stem the wanton attacks by pirates on refugees at sea for the past seven months.

The Citizens Commission would like to feel optimistic that the $3.67 million program will now be activated. However, past experience does not permit us to be optimistic. In part, our concern comes from the length of time is has taken to raise the necessary funds for what is at best a limited and insufficient effort. We are also concerned by the fact that the new program is, we understand, limited to 12 months. If it has taken five months to be funded, the UNHCR had best begin right now its efforts to obtain continued funding.

It should be remembered that it was while the earlier program was in effect that the appalling statistics quoted in the Citizens Commission report were gathered. Let us keep those grizzly figures in mind, not to dwell on them for their own sake, but because they represent human beings, and we are their witnesses. In 1981, 80% of the 357 refugee boats reaching Thailand were attacked by pirates an average of three times. We do not know how many boats never reached the shore. Of the nearly 13,000 persons on these boats, over 600 were murdered, nearly 600 raped, and over 200 disappeared. If these were the results when the anti-piracy campaign was in effect, one shudders to think what the statistics are now, where there is no campaign.

While a modest effort is better than no effort at all, what is needed in our view is far wider and, above all, far more determined international action.

The ASEAN countries, and in particular Thailand, are to be commended for the way in which they have borne the first-asylum burden created by the refugee flow from Indochina for the past seven years. It should not be beyond their capabilities--and indeed it should be in their national interest--to mount a collaborative effort to disarm the pirates. In this regard, we can only reflect with dismay on the relatively small number of pirates apprehended and the even smaller number actually convicted. Any anti-piracy campaign, if it is to have any results worth speaking of, must be vigorous in its approach both to apprehension and to prosecution.

To augment these efforts and to lend support to the states in

whose coastal waters the pirates usually operate, the United States should order the resumption of P-3 surveillance flights over the Gulf of Thailand. In addition, training missions out of Subic Bay should be directed where possible to assure that the flight patterns cover the areas most frequently used by refugee boats. The ships of the 7th Fleet should once again be encouraged to look out for refugee boats and to come to their aid.

We would further propose that the United States take the initiative in providing a grant in the amount of $10 million to the Royal Government of Thailand in order to increase significantly the magnitude and effectiveness of the $3.67 million program which, we anticipate, will begin shortly. A grant of this size should permit the program as presently planned to be tripled in size and lengthened in duration.

These are unilateral actions the United States could and should take now. We would, however, urge further steps of a more international character. For example, we could envisage the formation of an international task force of ships--perhaps under the aegis of the United Nations--to patrol the sea lanes in the Gulf of Thiland. Such a task force could be made up of ships not only from the ASEAN countries but of the United States, Japan, France, Great Britain, Norway, Italy, Germany, and Australia as well.

We are aware as well of a project to establish a semi-permanent anti-piracy force composed of two motherships and some twenty trawlers to patrol the areas most frequently traversed by refugee boats. We encourage efforts of this sort and urge the United States and others to give them serious consideration.

There are those who claim the civilized world should do nothing, or not too much, to impede the pirate operations lest a reduction in the number of robberies, rapes, and killings draw even larger numbers of refugees out of Vietnam. We reject such arguments on both moral and practical grounds.

Refugees fleeing Vietnam are, for the most part, fully aware of the perils that await them at sea--both natural and man-made. These have not deterred, and will not deter, those who find conditions unbearable in Vietnam from trying to escape. The natural dangers are such that the suppression of piracy would not encourage significantly more people to flee.

The Citizens Commission has supported from the beginning an orderly departure program under which those who could leave Vietnam overtly and safely for a third country could do so. While the prospects for such an enlarged program are encouraging, we must recognize that there will continue to be large numbers of persons for whom clandestine flight is the only option.

The act of flight is as basic a decision as a human being will ever be called upon to make, and is not one taken frivolously. The threat of pirate attacks may deter a few, but is this sufficient reason for the world to tolerate mayhem at sea as if it were just another aspect of "humane deterrence"?

Henry Morgenthau, Roosevelt's Secretary of the Treasury, in describing the failed endeavors to rescue Jews from the clutches of the Nazis during World War II spoke of those who were reluctant to lend a hand as indifferent, callous, and perhaps hostile. Let it not be said of us one day that we were indifferent and callous.

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MAYHEM ON THE SEAS

Statement by the Citizens Commission on Indochinese Refugees

Each month, thousands of Vietnamese men, women and children attempt to escape the hardships and persecution within their country by taking to the seas in flimsy boats. Many are caught and arrested in the act of fleeing. Still others drown when their boats go down in high seas. Those who make it to the precarious safety of a neighboring shore will, in all likelihood have passed through yet another gate of hell before reaching land.

For the odds are that during their perilous journey their boat will have been attached by pirates. They will be robbed. They will be tortured. They will be raped. They will be kidnapped. They will be killed.

Yet there are those who claim that people who are fully aware of what to expect on their flight from Vietnam are motivated by nothing more than some vague hope for economic betterment. As if the uncertain prospect of an improvement in one's standard of living could make up for the loss of a child or the rape of women and children.

An independent committee of citizens formed with the assistance of the International Rescue Committee for study of the problems and policies affecting the refugees from Cambodia, Laos and Vietnam.

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Statistics rarely speak with eloquence. These, as reported in 1981, do.

Number of boat people arriving in Thailand	12,526
Number of boats	357
Number of boats attacked by pirates	289
Number of pirate attacks	985
Percentage of boats attacked	81%
Number of attacks per boat	3.4
Known deaths	646
Known abductions	199
Known rape victims	583

On the average each refugee boat reaching Thailand in 1981 was attacked three times. Over 600 persons were murdered and almost as many women were raped. Several hundred people simply disappeared. And all of this in front of the eyes of mothers, fathers and children with whom they were risking all in order to try to rebuild their lives elsewhere. We will never know the number of lives and the number of boats lost without a trace. For we do not know how many boats left. We know only how many arrived and what happened to them.

A special program to combat piracy was launched in 1981 by the Royal Thai Government, with the assistance of the United States. This program produced modest but encouraging results. It was suspended at the end of September 1981 - for lack of funding. For five months there was not even a semblance of an anti-piracy program, and the suspicion grew that by not providing any protection, some hoped that fear of rape,

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mayhem and murder would act as a deterrent to those who might be thinking of escaping from unbearable conditions. It did not. And while negotiations were going on about who should contribute and how much to the resumption of the protective effort, the statistics of horror grew week after week and month after month.

The United Nations High Commissioner for Refugees launched an international appeal for 3.6 million of dollars. Eventually all but $370,000 was pledged, and we hope the United States will close the gap. We urge the rapid implementation of an anti-piracy campaign so as to mitigate further tragedies. Actually, what is needed is a much more comprehensive program than the one abandoned in October; a much more thorough use of the spotter planes and decoy boats. Yet we fear that unless the United States and other concerned nations are ready to provide the creative leadership that has been lacking in this effort, the pirates will find ways to continue their nefarious work to the shame of the civilized world. Such leadership must include a campaign on the part of concerned nations to encourage their flagships to pick up refugees floundering on the high seas.

Piracy and the brutalization of innocent refugees at sea must be halted. The government of Thailand, the United Nations High Commissioner for Refugees and all freedom loving nations bear a special responsibility to assure this. As long as refugees are desperate enough to flee their homelands in small boats, the threat of piracy will exist. It can and must be stamped out by concentrated and effective international efforts.

Bangkok, March 12, 1982

Mr. PRITCHARD. Thank you very much, Mr. Rustin.
Ms. Stevens.

STATEMENT OF CHARLOTTE S. STEVENS, MANAGING DIRECTOR, S.E.A., RESCUE FOUNDATION, INC.

Ms. STEVENS. The S.E.A. Rescue Foundation program, is a civilian, nonmilitary protection program to provide protection from pirates for the Vietnamese refugees at sea. The emphasis of our program would be refugee protection through civilian means through a nongovernmental organization and not antipiracy through military means.

S.E.A. Rescue Foundation's proposed program is a private sector, international, humanitarian refugee protection program. We will have no contact with, nor will we apprehend pirates. The program is nonmilitary in nature.

The UNHCR-Thai antipiracy program is a Thai naval program operating in or near Thai coastal waters contingent to Songkhla. The purpose of this program is to apprehend pirates. It is an effective program within the sphere of its operation.

Our program can only enhance the effectiveness of the present proposed UNHCR-Thai operation by patrolling international waters and providing a piracy-free zone to allow refugees to pass safely to a country of first asylum.

The program would involve 20 wooden-hulled fishing boats which would be deployed 16 at a time working in 8 pairs on stations circling in a radius of 60 nautical miles around the large ship. This piracy-free zone would allow refugees to travel in safety in their own boats.

The administration of the S.E.A. Rescue Foundation will include staff of many different nationalities, including Southeast Asian.

Originally it was projected a 3- to 4-month implementation period. But with international cooperation and support we believe we can be operational in 2 months, 3 months at a maximum.

The budget for the proposed 6-month trial program is $8 million. This figure includes all capital expenditures as well as personnel and administrative costs.

In order to implement and successfully operate our refugee program, we will have to have a base in Southeast Asia. We would hope to have the highest cooperation from all humanitarian governments of ASEAN, from all humanitarian governments of the world. No government, no organization, no peoples can condone the murder, rape, and torture of human beings by these criminals operating in the Gulf of Thailand.

RISKS FACED BY REFUGEES

S.E.A. Rescue Foundation defines a refugee as:

> Any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality, and is unable or owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country.

The key phrase here is "for reasons other than personal convenience." If the boat people are truly to be classified as refugees, we should not want to deter or discourage their quest for asylum.

These people brave unimaginable risks and are, in fact, aware of those risks and accept the danger before setting out on their journey.

They attempt the voyage on the high seas in small open boats, many of questionable seaworthiness, many meant for fishing and coastal waters only. A majority of these vessels are grossly overloaded and carry inadequate food and water supplies.

The people know they face storms, pirates, privation, and a 55-percent chance of death. Their motivation is a desire for freedom and that 45-percent chance that they will reach a country of safe asylum alive.

Mr. Schweitzer, the founder of this S.E.A. Rescue Foundation, has personally interviewed thousands of boat refugees, and not one has been deterred or knows of any person deterred from fleeing or attempting to flee Vietnam because of the known dangers.

In 1981 almost 75,000 Vietnamese refugees are known to have left Vietnam. Only 42,000 arrived on the shores of Thailand and Malaysia. Of these 42,000, 22,800 or approximately 55 percent are known to have been victims of pirate attacks on the high seas.

S.E.A. Rescue Foundation does not think there will be a significant increase in numbers of refugees fleeing Vietnam. But our initial 6-month program trial project will enable us to assess this factor.

PIRACY-FREE ZONE

S.E.A. Rescue Foundation's purpose is to allow refugees to travel in safety in their own boats through international waters to countries of first asylum. Only if a refugee vessel is actually in danger of sinking and the passengers cannot be transferred to another refugee vessel will refugees be taken aboard the small wooden-hulled boats for transfer to one of these steel-hulled mother ships or to one of several ships operating in the gulf currently which have indicated a willingness to cooperate with S.E.A. Rescue Foundation.

The wooden-hulled ships will not in themselves be an attraction for refugees to skuttle their own boats. And by means of radio contact among our vessels and helicopter surveillance, the steel-hulled ships will stay out of sight of refugee vessels. Food, water, fuel, and other assistance will be given to any boat in distress.

It is unlikely that pirates will attack S.E.A. Rescue Foundation's boats. Piracy is an activity carried on by crews of individual boats. It is not a highly organized activity, nor are the pirates generally heavily armed.

PIRATES PREY ON WEAK AND DEFENSELESS

The pirates are hooligans and criminals who prey on defenseless, often seasick, hungry, thirsty, and weak men, women, and children. They abduct, rob, murder, torture, and rape. They toy with their victims, often passing them from boat to boat or keeping them prisoners on an island which they and other boats return repeatedly.

They are unlikely to attack boats that have crews of able-bodied men, even though those boats will be unarmed and the crew members will carry no weapons. They prey on the weak, those whose numbers include a majority of women, often pregnant, children

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and adolescents; those who because of privation and hardship are defenseless.

Naval ships, planes, and commercial vessels from all countries who pass through the Gulf of Thailand do now assist the present efforts. When refugees in distress are under pirate attack and are sighted, the Thai Navy is notified; and in cases of life-threatening situations, refugees are rescued.

But military ships and planes and commercial vessels and planes have other priorities and are not a permanent, organized, systematic program. At best their deterrent and protection abilities are sporadic and of a lower priority than their primary mission.

[Ms. Stevens' prepared statement follows:]

Prepared Statement of Charlotte S. Stevens, Managing Director, S.E.A. Rescue Foundation, Inc.

S.E.A. RESCUE FOUNDATION/UNHCR-THAI ANTI-PIRACY PROGRAMME

S.E.A. RESCUE FOUNDATION's proposed programme is a private sector, international, humanitarian refugee protection programme. We will have no contact with nor will we apprehend pirates. Our programme is non-military in nature. The UNHCR-Thai anti-piracy programme is a Thai Naval programme operating in and/or near Thai coastal waters contingent to Songkhla. The purpose of this programme is to apprehend pirates. It is an effective programme within the sphere of its operation. Our programme can only enhance the effectiveness of the present UNHCR-Thai operation by patrolling international waters and providing a piracy free zone to allow refugees to pass safely to a country of first asylum.

THE ADMINISTRATION OF S.E.A. RESCUE FOUNDATION

The administration of S.E.A. RESCUE FOUNDATION will include staff of many different nationalities, including Southeast Asian.

Originally it was projected a three to four month implementation period, but with international cooperation and support we believe we can be operational in two to three months time at maximum.

The budget for the proposed six month trial programme is US$8 million. This figure includes all capital expenditures as well as personnel and administrative costs.

Theodore G. Schweitzer, III, as founder and chief executive officer, will oversee the implementation of the S.E.A. RESCUE FOUNDATION programme.

COOPERATION OF HUMANITARIAN GOVERNMENTS AND PEOPLES

In order to implement and successfully operate our refugee protection programme we will have to have a base in Southeast Asia. We would hope to have the highest cooperation from all the humanitarian governments of Asean - from all humanitarian governments of the world.

S.E.A. Rescue Foundation, inc.
Principal office: 154 Arbelle St. Lewistown, Missouri 63452, USA
European office: 58, Ave. du Jura Ferney-Voltaire 01210, France

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No government-no organization-no peoples can condone the murder, rape and torture of human beings by these criminals operating in the Gulf of Thailand.

THE PULL FACTOR

S.E.A. RESCUE FOUNDATION defines a refugee "as any person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality or political opinion, is outside the country of his nationality and is unable or owing to such fear or for reasons other than personal convenience, is unwilling to avail himself of the protection of that country." The key phrase is "for reasons other than personal convenience." If the boat people are truly to be clasified as refugees, we should not want to deter or discourage their quest for asylum. These people brave unimaginable risks, and are, in fact, aware of those risks and accept the danger. They attempt the approximately two hundred mile voyage on the high seas in small, open boats, many of questionable seaworthiness or meant for fishing in coastal waters only. A majority of these vessels are grossly overloaded and carry inadequate food and water supplies. They know they face storms, pirates, privation and a fifty-five percent chance of death. Their motivation is a desire for freedom and the forty-five percent chance that they will reach a country of safe asylum - alive! Mr. Schweitzer has personally interviewed thousands of boat refugees and not one admitted being deterred or knows of any person deterred from fleeing or attempting to flee Viet Nam because of the dangers.

In 1981 74,754 Vietnamese refugees are known to have left Viet Nam. Only 41,491 arrived on the shores of Thailand and Malaysia. Of these 41,491, 22,800 or fifty-five percent are known to have been victims of pirate attacks on the high seas.

It is not thought that there will be significant increase in numbers of refugees fleeing Viet Nam, but the initial six month programme trial project will enable us to assess this factor.

THE PICK-UP FACTOR

S.E.A. RESCUE FOUNDATION's purpose is to allow refugees to travel in safety in their own boats through international waters to the countries of first asylum in the area. Only if a refugee vessel is actually in danger of sinking and the passengers cannot be transferred to another refugee vessel, will refugees be taken aboard the small wooden-hulled boats for transfer to one of the steel-hulled ships or to one of the several ships operating in the Gulf currently, which have indicated a williness to cooperate with S.E.A. RESCUE FOUNDATION.

The wooden-hulled fishing boats will not in themselves be an attraction for refugees to skuttle their boats. By means of radio contact among vessels and helicopter surveillance, the steel-hulled ships will stay out of sight of refugee vessels. Food, water and fuel will be given to any boat in distress.

PIRATE ATTACKS ON S.E.A. RESCUE FOUNDATION BOATS

It is unlikely that pirates will attack S.E.A. RESCUE FOUNDATION's boats. Piracy is an activity carried on by the crews of individual boats. It is not an organized activity. Nor are the pirates heavily armed. The pirates are hooligans and criminals who prey on defenseless, often seasick, hungry, thirsty and weak men, women and children. They abduct, rob, murder, torture and rape. They toy with their victims, often passing them from boat to boat or keeping them prisioner on an island to which they and other boats return repeatedly.

They are unlikely to attack boats that have crews of able bodied men even though those boats will be unarmed and the crew members carry no weapons. They prey on the weak - those whose numbers include a majority of women, children and adolescents - those who because of privation and hardship, are defenseless.

COOPERATION OF VESSELS AND PLANES OF ALL NATIONS

Naval ships, planes and commercial vessels from all countries who pass through the Gulf of Thailand, do now assist the present UNHCR-Thai project. When refugees in distress or under pirate attack are sighted, the Thai Navy is notified, and in cases of life threatning situations,

refugees are rescued. But military ships and planes and commercial vessels and planes have other priorities and are not a permanent, organized, systematic programme. At best their deterrent and protection abilities are sporatic and of a lower priority than their primary mission.

The S.E.A. RESCUE FOUNDATION programme will be non-military, international and humanitarian. It will be based in international waters. S.E.A. RESCUE FOUNDATION is a private, not-for-profit, non-governmental refugee protection organization which will compliment on the present UNHCR-Thai anti-piracy operation.

Trial Project to Protect Vietnamese Refugees at Sea

1. BACKGROUND

During 1981 22,800 refugees, amounting to 55% of the Vietnamese boat people en route to Thailand and Malaysia, were attacked by pirates in the Gulf of Thailand. 575 persons, or 1.46% of the refugees, were murdered by the pirates, 886, or 4.2% of the women and girls admitted to having been raped, and 247, or 1.4% of the women and girls, were abducted and had not subsequently been recovered at year's end.

2. NEED

A civilian, non-military protection programme is needed to provide protection from the pirates for the Vietnamese refugees at sea. The emphasis of this programme should be refugee protection by civilian means through an NGO with UNHCR support, and not anti-piracy through military means. Therefore this trial project would not entail apprehending pirates and is meant only as a deterrent to piracy. Also, no weapons of any kind would be involved.

3. PROPOSED TRIAL PROJECT

A. Project objectives: The objectives of the initial trial project will be to reduce by 90% the number of refugees attacked by pirates on the high seas during the project period 1 July - 31 December 1982.

B. Project description: Twenty wooden-hulled fishing boats will be deployed sixteen at a time working in eight pairs on stations circling in a radius of sixty nautical miles around a large ship, which will be located at 104° 0' east longitude and 7° 0' north latitude in the Gulf of Thailand. This circular searching operation will create a piracy-free zone of safety running from approximately 103° 0' to 105° 0' east latitude and from approximately 6° 0' to 8° 0' north latitude. This piracy-free zone will allow the refugees to travel in safety in their own boats through international waters on their journey to the countries of first asylum in the area. As the wooden-hulled fishing boats would not in themselves be an attraction for boat people to scuttle their boats, the problem of large-scale rescue at sea would therefore not arise.

4. BUDGET

1 July 1982 - 31 December 1982: US$ 8,000,000.

S.E.A. RESCUE FOUNDATION

Theodore G. Schweitzer III, Director

PROJECT SUBMISSION

PART A. GENERAL INFORMATION

1. Country: Malaysia
2. Project Location: Kuantan
3. Project Title: Trial Project Incorporating Various Measures to Protect Vietnamese Refugees at Sea
4. Starting Date: 1 July 1982
5. Proposed Termination Date: 31 December 1982
6. Government Department responsible for refugee matters: National Task Force VII of the Prime Minister's Office
7. Implementing Agency: S.E.A. RESCUE FOUNDATION
8. 1982 Total Project Budget: US$8,000,000

PART B. BACKGROUND AND JUSTIFICATION

1. Situation of refugee group

In 1981, a total of 74,754 Vietnamese refugees are known to have left Viet Nam, of which 41,491 arrived on the shores of Thailand and Malaysia. Of these 41,491 some 22,800 (approximately 55%) are known to have been victims of pirate attacks on the high seas. During 1981, some 675 Vietnamese refugees are known to have been murdered by pirates and some 886 women and girls admitted to having been raped. In addition, some 294 women and girls are known to have been abducted on the high seas, of whom some 247 were still missing at the year's end.

During 1982, it is believed that a sizeable number of Vietnamese refugees will seek asylum in the various Asean countries and fall victim to pirate attacks.

2. Need or problem addressed by this project

During 1981, a high percentage of the Vietnamese boat people were attacked by pirates on the high seas while fleeing to countries of asylum in South East Asia. This project will provide an initial trial period of six months to incorporate and evaluate various measures to protect the boat people from the pirates during the second half of 1982.

3. Related projects

In 1980 and 1981, there has been a related project in Thailand. This project provided funding for the Royal Thai Navy to patrol an area of the Gulf of Thailand contingent to Songkhla.

4. Implementing arrangements

The project should be implemented on a trial basis by a voluntary organisation in co-operation with the Government of Malaysia and the UNHCR. The funding should come from various donor governments and be co-ordinated by the UNHCR. The implementing agency should work in close consultation with the UNHCR. A sizeable amount of funds will also come from the Foundation's own fund raising efforts.

PART C. PROJECT DESCRIPTION

1. Project objective and project indicators

(a) The objective of this initial trial project will be to significantly reduce the number of refugees attacked by pirates on the high seas.

(b) The project will also have as its secondary objective to explore the workability of the concept as a whole. It will be the first time in history that such a large scale effort has been made to create a piracy free zone at sea to allow refugees to pass safely through a danger zone to a place of safe asylum. The initial six month trial period will allow an assessment of several related indicators:

(i) Pull factor - at the end of six month trial period we may be able to assess how many Vietnamese refugees would be in countries of asylum who would not have left Viet Nam if it were not for the protection at sea programme.

(ii) Pick-up factor - the goal of this trial project will be to create a piracy free zone at sea so that the refugees may pass through it in their own boats to countries of safe asylum. The project does not envisage picking up any refugees at all with its boats. The rare exception would be those refugees whose boats are found to be sinking. To discourage the refugees from scuttling their boats it is planned that the refugees will never come in sight of the two large ships - which will act solely as a backup to be called upon the scene if

one of the trawlers has been forced to pick-up a group of refugees. At least one of the ships will also have a helicopter aboard for surveillance and protection functions.

(c) During 1981, some 55% of the Vietnamese refugees arriving in Thailand and Malaysia had been attacked by pirates on the high seas. Some 1.46% of the Vietnamese refugees en route to Thailand and Malaysia were murdered, approximately 4.2% of the women and girls admitted to having been raped and approximately 1.4% of the women and girls were abducted and had not subsequently been recovered at the year's end. The progress indicators demonstrating the effectiveness of this project are then:

(i) the percentage of refugees arriving in Thailand and Malaysia who have been attacked;

(ii) the percentage of refugees murdered;

(iii) the percentage of women and girls raped, and

(iv) the percentage of women and girls abducted.

If this project is successfully implemented, it should be possible to reduce the 1981 percentages listed above by 90%.

2. Description of beneficiaries

The beneficiaries will be the Vietnamese boat people who put out to sea during 1982, whether large or small in number.

3. Description of assistance

(a) Twenty wooden-hulled fishing boats, will be deployed 16 at a time in eight pairs on stations at the longtitudes and latitudes given below, in order to establish and maintain a piracy-free zone of safety for the refugees. The zone of safety will run from approximately 103° 0' East Longtitude to 105° 0' East Longtitude and from approximately 6° 0' North Latitude to 8° 0' North Latitude. This piracy-free zone will allow the refugees to travel in safety through international waters from near the limit of Vietnamese territorial waters to near the limit of the territorial waters of countries of temporary asylum in South East Asia.

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(b) Two large steel-hulled ships will be deployed as observation platforms and back-up for the 16 wooden-hulled boats on station. The two ships will each carry medical teams with emergency operating facilities, adequate emergency tinned sea rations and supplies and a helicopter with pilot.

Normal locations/stations of 16 fishing boats

	A				B			
	EAST LON		N.LAT		EAST LON		N. LAT	
Boat 1A	103° 0'	x	7° 0'	1B	103° 15'	x	7° 0'	
Boat 2A	103° 45'	x	7° 0'	2B	104° 15'	x	7° 0'	
Boat 3A	104° 30'	x	7° 0'	3B	104° 45'	x	7° 0'	
Boat 4A	104° 0'	x	6° 15'	4B	104° 0'	x	6° 30'	
Boat 5A	104° 0'	x	7° 45'	5B	104° 0'	x	7° 30'	
Boat 6A	104° 0'	x	8° 0'	6B	104° 45'	x	6° 45'	
Boat 7A	104° 45'	x	6° 30'	7B	104° 0'	x	6° 0'	
Boat 8A	103° 15'	x	6° 30'	8B	103° 15'	x	7° 45'	

Normal locations of two observation ships

Ship 1	104° 0'	7° 0'
Ship 2	103° 0'	7° 30'
	105° 0'	8° 0'

The sixteen boats will cruise a circular pattern around the main ship establishing a search pattern which will enable each boat to ensure that its respective radius of responsibility is free of pirate attacks. Any refugee boat sighted will be shadowed until it is within the zone of responsibility of the next boat station. Any refugee boat in distress will either be given food, water or fuel as required. Only if the refugee boat is actually sinking will the refugees be taken aboard one of the wooden-hulled boats for later transfer to one of the two steel-hulled ships.

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Communications

(a) Each of the 20 wooden-hulled boats will have mounted VHF radio communications, one pair of VHF hand-held battery-powered transceivers tuned to a common frequency with the mounted radio, two battery-powered distress beacons and two salt water activated distress beacons. Each boat will also be equipped with a hand-held visual code signalling device.

(b) The two ships will have VHF radio transceivers similar to those on the fishing boats. The ships will also have HF SSB transceivers for long distance communications. They will each also be equipped with five pairs of hand-held battery-operated VHF transceivers tuned to a frequency common to the VHF mounted radios. The ships will also be equipped with 2 mounted visual code signalling devices.

(c) The helicopter will be equipped with VHF communications transceivers, 1 pair VHF hand-held, battery-powered transceivers, 2 battery-powered distress beacons and 2 salt water activated distress beacons.

(d) The project office in Kuantan will be equipped with VHF and HF SSB communications systems and spares of all other communication items required.

(e) All boats and ships will also be equipped with satellite navigation systems.

5. Lifesaving equipment and emergency rations

A. Each of the 20 fishing boats will have two inflatable emergency life rafts, each capable of accommodating 20 persons. These will normally be for use only if the fishing boat itself should be in danger of sinking. Each of the 20 fishing boats will also have one inflatable ZODIAC with 25 HP outboard motor for use in rescue or other instances as required. Each fishing boat will also be equipped with 50 orange flotation life vests.

B. Each of the 2 ships will be equipped with 25 inflatable life rafts each capable of accommodating 20 persons. Each ship will also have two ZODIACS with 25 HP outboard motors and each will also have 500 orange flotation life vests.

C. Each of the 20 fishing boats will have a supply of emergency tinned sea rations and tinned water sufficient for 50 persons for 3 days.

D. Each of the 2 ships will have a supply of emergency tinned sea rations and tinned water sufficient for 500 persons for 1 month, and an additional and separate supply sufficient to replenish the standard supply for 10 fishing boats for 3 days each.

E. Additional emergency tinned food and water supplies will be maintained in the project storage depot in Kuantan.

6. Adequate fuel supplies should be available in Kuantan to operate all 20 fishing boats and 2 ships for 1 month. If adequate fuel supplies are not readily available, measures should be instituted to maintain these supplies ourselves.

7. Adequate fresh food and water supplies will be maintained on the fishing boats and on the ships for normal use in addition to the emergency rations listed under (5) above.

8. Adequate emergency medical kits will be maintained aboard all 20 of the fishing boats and extensive medical supplies will be maintained aboard both ships.

9. Adequate office and storage space will be maintained in Kuantan to enable the project to be successfully implemented.

STAFF REQUIRED

1. Lisison Officer
2. 1 Project Manager
3. Boat crew for 20 fishing boats
4. Ship crews for 2 ships
5. Office supervisors, staff, drivers, administration, storehouse etc.
6. Doctors and medical personnel for 2 ships
7. Two helicopter pilots and crew

S.E.A. RESCUE FOUNDATION

Project symbol 82/PY/MLS/UA/1

Title of project Trial Project Incorporating Various Measures to Protect Vietnamese Refugees at Sea

For the period 1 July 1982 to 31 December 1982

Sector/Sub-sector		Schedule I US$	Schedule II US$
Sector A	Boats/ships/helicopter		
	(i) purchase of 20 wooden hulled fishing boats	1,000,000	
	(ii) Least of 2 steel hulled ships	3,600,000	
	(iii) Lease of helicopter with pilot	450,000	
			5,050,000
B.	Lease of communications/electronic equipment and distress beacons		
	(i) Each of the 20 fishing boats will have VHF and 2 ships VHF and HF SSB radios		
	(ii) OFC will have 2 sets of each VHF and HF SSB		
	(iii) 70 hand held VHF walkie-talkies		
	(iv) 60 distress beacons		
	(v) 70 salt water activated distress beacons		
	(vi) 25 VHF transceivers, 4 HF SSB transceivers	500,000	
			500,000
C.	Life-saving equipment/emergency sea rations/life vests	200,000	
			200,000
D.	Fuel	500,000	
			500,000
E.	Food/water		
	(i) for refugees		
	(ii) for crew	100,000	
			100,000

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Sector/Sub-sector	Schedule I US$	Schedule II US$
F. Medical supplies	100,000	100,000
G. Docking fees	100,000	100,000
H. Vehicles	100,000	100,000
I. Repair/maintenance (i) Boats (ii) Communications (iii) Life-saving equipment (iv) Vehicles	400,000	400,000
J. Insurance	300,000	300,000
K. Programme Support and Administration, Salaries/ TSA, Office and Storage space	650,000	650,000
		US$ 8,000,000

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S.E.A. RESCUE FOUNDATION

Project Title: Various measures to protect Vietnamese ref

Location of Project: Kuantan Malaysia

Project Symbol: 82/PY/MLS/MA/1

FINANCIAL MONITORING CHART
in US dollars/local currency*

Original: _____
Revision No: _____
Date: _____
Year: _____

Sector/Sub-sector/Item (use same order and numbering as on the Project Time Chart and Project Budget)	Estimated Budget Totals (Annual)	First instalment US$ 3,720,000		Second instalment (cumulative) US 5,865,000		Third instalment (cumulative) US$ 8,000,000		Final instalment (cumulative)	Disbursements and obligations as of _____ (date)		
		Planned	Disbursed	Planned	Disbursed	Planned	Disbursed	Planned	Disbursed as of	Obligated as of	Total (10+11)
1	2	3	4	5	6	7	8	9	10	11	12
		Date: 1.7.82	Date:	Date: 1.9.82	Date:	Date: 1.11.82	Date:	Date:	Date:		
A. Boats/ships/ helicopter	$ 5,050,000	$ 2,350,000		$ 1,350,000		$ 1,350,000					
B. Communications	500,000	250,000		125,000		125,000					
C. Life saving equip	200,000	200,000		-		-					
D. Fuel	500,000	200,000		150,000		150,000					
E. Food/water	100,000	35,000		35,000		30,000					
F. Medical supplies	100,000	100,000		-		-					
G. Docking fees	100,000	35,000		35,000		30,000					
H. Vehicles	100,000	100,000		-		-					
I. Repair/maintenance	400,000	100,000		150,000		150,000					
J. Insurance	300,000	100,000		100,000		100,000					
K. Programme support and administration	650,000	250,000		200,000		200,000					
TOTAL	8,000,000	3,720,000		2,145,000		2,135,000					

* please cross out whatever does not apply

Mr. SOLARZ. Let me thank you very much for a very thoughtful and creative presentation. We will want to explore this further during the question period.

Our last witness will be Col. Jack Bailey, the president of Operation Rescue.

Colonel Bailey.

STATEMENT OF COL. JACK BAILEY, PRESIDENT, OPERATION RESCUE

Colonel BAILEY. Mr. Chairman and the subcommittee, I am sorry that Congressman Dornan isn't here today. His daughter spent 6 months with me in Song Khla in Thailand on this program; also, Congressman Dymally, whom I worked with in 1975 when he was Lieutenant Governor and we sponsored roughly 1,800 Vietnamese refugees.

Seven years ago this week on April 18, Mr. Chairman, I guess I am the guilty person that started the boat people. I launched those first two boats. I was on those boats.

We did not make it. We were like a lot of the unfortunate people that have departed Vietnam that did not make it. Thirty to forty percent do not make it. We did not make it either. We started down the Saigon River, and I will not go into details because it will take 3 days to tell you the story. But I will tell you that we did have a success story later. I was fortunate enough to bring them out at the end of the fall of Saigon in 1975.

I have been involved in the Vietnamese refugee program now since 1975. I cosponsored with Dr. Larry Ward, president of Food for the Hungry, more than 1,800 Vietnamese refugees. Two years ago I went to Song Khla on a factfinding mission, when I was briefed by Dr. Ward on the problems of the boat people. The things that he had told me I couldn't believe.

I couldn't believe that, in 1980, people could be murdered, raped, and robbed on the high seas, as he explained it to me. But when I went to Song Khla and visited the camps and talked to hundreds of people, and many of the young girls and mothers, and fathers explaining and telling me about watching their wives and daughters being raped, I guess I am close to this because I have three daughters, beautiful daughters, and I have a lovely wife who is here. So I said I had to do something.

That night in 1980, I believe I saw a gentleman just come into this area, Mr. Bob Bainum, I have not seen for 2 years. Bob and I discussed this thing. His concern as an American citizen was the same as mine.

PIRACY STORIES WERE SHOCKING

We both agreed we had to do something. And I said if something is not done we will do something. And I assure you, nothing was done. Nothing has been done yet but spend a lot of money and a lot of talk. It is a disgrace, sir.

I wish we had 2 or 3 days to really tell you this story and what I have seen in the last 1½ years. I have been with the pirates. I have been on their boats. I have lived with them. I know who they are.

I have a ship that I took over from Food for the Hungry 1½ years ago, the *Akuna*. We have had two fishing trawlers. I have had a wonderful friend of mine, Colonel Don McCullough, who has helped me with this program. Don spent 5 years as an intelligence officer for the air force in Thailand, Vietnam, and Laos. Together we have about 40 years in that part of the world. Together we wanted to find out who the pirates are.

PRAISE FOR THAI GOVERNMENT

I don't like to use the word "Thai pirates." And your ambassador, I am afraid he left, I am sorry that he left, because I have nothing but high praise for what the Thai Government has really done and what they are trying to do.

And what most of you do not know is what the Thai fishing fleet is undergoing and what they are suffering daily by the hands of the pirates; whoever they may be.

Colonel McCullough and myself, whom I have known for 30 years as jet fighter pilots, went back to Singapore and took over the ship in April of 1981.

STUDIED PIRATES' OPERATIONS

We moved into Song Khla. We did not have a lot of money even to operate the ship there. So we decided that we would spend our spare time finding out the mode of operation of the pirates; who they are, where they are working from, and how we can infiltrate the pirates, and what we can do, a couple of Air Force fighter pilots on a beat-up old 1941 World War II ship with a couple of trawlers?

The first thing we did was to visit my good friend Lionel Rosenblatt in the State Department and get briefed by Lionel on what was really happening with the $2 million of the antipiracy program that was just being launched. He introduced me to Colonel Sonon of the Supreme Command, who gave me a briefing on what they were going to do.

I have seen their program. I watched their program. I was not happy with their program. It was not constructive.

UNHCR SHOULD DO MORE

Then we went to the UNHCR people where I met some beautiful lawyers from the United States. I have nothing against lawyers, Your Honor. I work for a lot of them. But for a protection agency I think you need someone that is going to go out and do something besides keep records and stats on how many people die.

There is a young American lawyer who is such a person in Bangkok at the present time, and all he does is keep records. I am sorry for him. He says, Jack, I am a lawyer. I am not an investigator like you are. I wish I had you and other people like you to help me.

WORKED WITH THAI FISHERMEN

We have been trying to help undercover. We have worked in Song Khla for the last 1½ years with the Thai fishing fleet. We have met some beautiful people. We have met some owners

that own 100 to 200 boats. We have gone out with these people. We spent time with them. We have had them on the *Akuna* with us and showing them what we were doing. We have helped more than 60 Thai fishing boats that have been in trouble.

What so many of us here today do not know is that the Thai fishing fleet themselves have helped hundreds of people like Mr. Phuoc. But then there is the other percentage that does not. I was giving you some bad news. I would like to give you some good news.

JOINING THE FISHING FLEET

I woke up one morning with a thought, if you can't beat them, join them. I am talking about joining the fishing fleet. So I did. Three months ago I took my idea to some retired admirals and air force and supreme command people in Bangkok plus the deputy director of police, General Narong. And I said, I would like to show you what I can do for you and for the Thai fishing fleet. I can give you some protection and some help that you need for the fleet. I know that you have lost more than 500 Thai fishermen in the past 1½ years; is this true? Yes, it was.

I know that right at the present time that you are losing five and six boats every month by pirates. This is true. In the southern province right now they have been averaging four and five boats and many losses of fishermen every month. And they have written to the Prime Minister and other people, for help with the pirate program because it is having a big impact on the fishing fleet.

The solution to this thing is in contacting many owners. Right now we have lined up more than 1,000 Thai fishing trawlers to assist and work with us. We are fortunate enough, Your Honor, to have obtained a good-sized ship from the Government of Singapore. They practically gave it to us for $15,000, 12 years old. It had been confiscated because it had been smuggling. They had it up for auction.

We explained to them what we were doing in trying to work with the piracy program. For $15,000 we received a ship with a salvage price of more than $70,000. It is drydocked and in 2 weeks will be back at sea.

RADIO COMMUNICATIONS

We are installing radio equipment in the ship now to work with these trawlers. The fishing fleet is scattered through nine provinces.

I will submit this report to you. I would also like to submit some other things here to you. We hope that this can be successful. The radio communications that we have on board, if I might just take 2 more minutes to state, will be used for broadcasting to the Thai fishing fleet.

We will give them weather reports and pertinent information that is related to the fishing fleet itself. We will also have a young Thai lady to play music for these young kids.

The average age of the pirates is 19 years old, believe it or not. We can verify this to you. And most of them have small little radios that they love to listen to. The music goes off the air around midnight in most Thailand areas. A little psychological warfare;

this young lady will play the music for these kids and she will also ask them or tell them that we have a young Vietnamese lady, Lon, that is missing; if you know of her whereabouts, we would like very much if you would notify us for a pickup point and time of the dropoff.

You have sisters. You have sweethearts. And this is the psychological thing that we have worked out and they are working it out with the Thai people to be successful.

There are 247 girls still missing from 1981, sir. We receive more than 100 letters every month from husbands asking me to please help them to find their wives who were abducted. "Please help me to find my daughter." "My wife and my 2-year-old kid are missing." I have stacks of them. I would be happy to furnish you.

I can't give up on piracy. I think the communications is one thing that the Thai like most of all, and the fact that we would be broadcasting into Vietnam. It is a deterrent. They have a security problem in their country. It is a deterrent, also, for them but we will broadcast to the Vietnamese giving them warnings of the problems of the people that are being murdered and killed.

I am sorry to take up so much time. I will cut it off at this time, sir.

[Colonel Bailey submitted the following for the record:]

OPERATION RESCUE, INC.

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San Francisco, CA. 94107
Tel. (415) 543-4339

37/1 Soi Somprasong 3 Petchaburi Rd.
G.P.O. Box 2830
Bangkok, Thailand
Tel. 251-7336

"A CHANCE TO LIVE"

June 2, 1982

Honorable Stephen J. Solarz
Chairman
Subcommittee on Asian & Pacific Affairs
U.S. House of Representatives
Washington, DC

Dear Mr. Chairman:

As a result of the April 29 hearing on "Piracy in the Gulf of Thailand: A Crisis for the International Community," I have prepared this Operation Rescue, Inc. proposal for your consideration. Many solutions have been tried without any significant degree of success and much money has been spent with very little to show for it. For the benefit of anyone who may read this who is not as familiar with this problem as you are, I will include a short paragraph on background.

Immediately following the fall of South Vietnam in early 1975, a flood of refugees left that country to seek freedom and new life opportunity elsewhere--with over 200,000 coming to the U.S. and many thousands of others fleeing to other countries. Despite the dangers and extreme difficulties involved, thousands of others have risked their lives since then in tiny fishing boats. Their number has increased from 5,352 in 1976 to 41,491 in 1981. Reliable sources estimate that 50% of those who leave Vietnam by boat do NOT make it to safety. Many are raped, abducted or murdered and many of those who do succeed in reaching another country, arrive with serious medical problems. This is a continuing problem which has moved many in the world to deep concern, and which has led us to propose this venture of assistance to these unfortunate people.

My partner, Col. Don McCullough and I have spent the last 18 months both at sea and working with the Thai government and other agencies. We have had some successes and some failures, all of which has brought us to this moment of realization that what we and others like us have done, though perhaps commendable, could never have been broad enough in scope to have any appreciable effect upon pirate activity in the Gulf of Thailand. Picking up refugees is not solving the problem of piracy. At first we thought there was no solution. But then we decided there is a means of attacking the problem with some assurance that a reasonable degree of success can be attained. We do not need millions

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of dollars and we do not need a task force of vessels to try fruitlessly to patrol hundreds of thousands of square miles of water. We have a ship and a plan. There are already thousands of fishing boats manned by fishermen who are not pirates. These boats would be glad to cooperate with us in order to be able to go about their business of fishing without fear of being attacked.

Our mission objectives would be threefold. First, to frustrate the efforts of the pirates. Second, to cultivate and work with the Thai fishing fleet to collect information on the whereabouts of missing girls who have been abducted by the pirates. Third, to question refugees for information regarding missing Americans dead or alive in Vietnam. We know from past experience that some refugees are in possession of this type information and do not offer it unless asked.

The mechanics of our plan:

We would station our ship, the SRI AKUNA, in the center of the fishing fleet activity. We would supply 1000 2-way radios to 1000 selected fishing trawlers from the nine different fishing ports to cover as large an area as possible. In addition to this two way capability, we would conduct regular radio broadcasts from our ship, in the Thai language, on a common frequency to all fishing trawlers. These broadcasts would include weather conditions and forecasts, items of general interest to the fleet, selected news items, music, items of special interest such as reported pirate activity, and a broadcast beamed to Vietnam in Vietnamese, advising people of the dangers in fleeing Vietnam by boat. Very little of this is available now. This would all be arranged and coordinated through meetings with fleet union leaders, fleet owners, local government authorities, Thai Marine Police, Thai National Police and the Royal Thai Navy. We would in fact, invite the Royal Thai Navy to station a liaison officer abroad our ship to monitor operations. This wide range of coordination would also make possible fast reaction by Thai Navy and Marine Police to reported acts of piracy. Now, instead of one boat we have a thousand boats who can talk to us and to each other.

In return for this service to the fishing fleet we would ask for the cooperation of the trawlers with 2-way radio in identifying and assisting refugee boats and also in identifying craft engaged in pirate activity. Naturally we would employ a code to protect the identity of transmitting trawlers. We are convinced that a coordinated effort such as this would reduce pirate activity significantly.

Let us emphasize again that in addition to the benefits of our plan derived by the fishing fleet and the refugees, the potential for collecting information on missing Americans is most valuable. Let us not forget that as a result of so many reports coming out of Southeast Asia regarding crash sites of downed American aircraft, gravesites of Americans killed in Vietnam, and most important, reports of Americans still alive in Vietnam, a former head of our Defense Intelligence Agency publically announced that he is convinced there are Americans alive and being held against their will in Vietnam. Hundreds of refugees coming

out of Vietnam can be systematically questioned for this type information. We have seen through first hand experience, cases where this information has remained unknown to the American community for months simply because no one thought or had the opportunity to ask. How much information has been lost this way?

I have pursued this idea of joining the Thai fishing fleet and in so doing, have discussed the concept with various knowledgeable Thai and American individuals, business as well as government. As a result of these discussions certain facts, assumptions and a conclusion have become evident.

FACTS:

- 70-90% of Vietnamese refugee boats are attacked by pirates, some as many as 3 or 4 times during their voyage.
- UN statistics show that 243 young girls, wives and mothers were raped and abducted last year, 236 of whom are still missing.
- Some of the pirates are professional, armed bandits and some are opportunistic fishermen, (approximately 2% of the fleet).
- Professional pirates attack fishing boats as well as refugee boats.
- Millions of dollars have been spent in an effort to stop piracy without any significant degree of success.
- More than 14,000 trawlers are fishing these waters with no organized plan for mutual assistance or survival.
- Five hundred Thai fishermen have lost their lives by attack in a two year period.
- An average of five fishing trawlers per month are lost as a result of pirate attacks.
- Our plan has been discussed with Thai fishing fleet owners, Thai National Police and Marine Police and has been enthusiastically received by all concerned.
- Our ship, the SRI AKUNA is ideally suited for this type mission. It is well equipped and electronically capable of conducting this mission.
- Some Thai fishermen refuse to go out with the boats for fear of attack by pirates, affecting their livelihood.

ASSUMPTIONS:

- Thai government, Navy and Police officials will support a viable plan to bring piracy under control.

- The fishing fleet will cooperate to help curtail the activity of professional pirates as well as the activity of renegade fishermen who give the fleet a bad name.

- MAP or other funds can be made available to support this operation for 12 months as a fair trail period to test effectiveness.

- Pull factor would not be substantially affected by either an increase or decrease in pirate activity.

CONCLUSION:

In spite of the fact that other methods have been tried and have failed, efforts to curtail pirate activity must continue. To quote Mr. Pritchard from the transcript of the subcommittee hearing on April 29, he said, "I do not see how you can have an effective program against the pirates unless you have cooperation with the fishermen, cooperation at the local authority, some type of patrol activity, certainly a strong support from the National Government and dollars from the international community. And all those things have to be in there to make it successful." Sir, Operation Rescue, Inc. has all these things except one. Given the finances to implement our program, we are firmly convinced that we, along with the Thai fishing fleet and the Thai Government, can make a very definite contribution to safety on the high seas in the Gulf of Thailand. If there is a plan more viable than ours or more easily implemented, or more economical to conduct, we will be more than happy to support it with all the means at our disposal.

We respectfully request your consideration of our plan and your good assistance in helping us to secure the funds necessary to implement that plan with the hope that a sad chapter in the history of Southeast Asia can be brought to a close.

Yours very truly,

Jack P. Bailey
President

ATTACHMENT (1)

OPERATION RESCUE, INC.

BUDGET FOR TWELVE MONTHS (ALL FIGURES IN U.S. DOLLARS)

A.	Repairs for ship, Sri Akuna, now in dry dock (docking expenses)	$ 6,000
	Deck repairs - Sand Blasting, Paint, etc.	6,000
B.	Engine and Generator tuning - Parts Complete check of Electrical System	8,000
C.	Agents Fee @ $500/mo. x 12	6,000
D.	Harbor Fees	1,000
E.	Customs & Immigration	2,500
F.	Launch - Transportation, ship to shore, in port	3,000
G.	Insurance	10,000
H.	Registration (Panama)	3,000
I.	Crew pay & Food Allowance ($8000/mo. x 12)	96,000
J.	Fuel - @20 days/mo. 5 ton/day @ $300/day equals $6000/mo. x 12	72,000
K.	Fresh Water $100/mo. x 12	1,000
L.	Lubricants	600
M.	Ship's Store - Paint, supplies, ship upkeep equipment	5,000
N.	Food and Medical Supplies for Refugees in Board	8,000
O.	Salaries	24,000
P.	Inflation and Contingency	25,000
Q.	International Travel	25,000
R.	Food for Volunteers $5/day x 20 equals $100/mo. x 4 people x 12	4,800
S.	Fishing Trawlers $2500/mo. x 12	30,000
T.	Ship Expenses away from Home Port - Harbor fees, Immigration, etc.	10,000
U.	Administrative Assistance - Part Time	5,000
		$352,100

ONE TIME EXPENSES FOR THE FIRST YEAR ONLY

1.	1,000 2-way radios (hand-held) VHF-FM Police Type 150-175 MH2 Units of 4-5 Watts or 10 Watts @ 200/ea.	$200,000
2.	Single Side Band Radio 100 Watt 2-4 MH2	1,000
3.	Medium Wave Broadcast Transmitter 550 KH2 to 1550 KH2	65,000
4.	Special Antenna Equipment	20,000
	Total	$286,000

NUMBER OF FISHING BOATS

Mr. SOLARZ. Your testimony has been very helpful and certainly your efforts on behalf of the boat people have been extraordinary and deserve the appreciation and approval of the Congress and the country.

Let me ask you first, Colonel, do you have any estimate as to how many Thai fishing boats there are?

Colonel BAILEY. Yes, sir; Thai fishing boats number between 15,000 and 16,000. Total boats in four countries total more than, between 50,000 and 60,000.

Mr. SOLARZ. What four countries?

Colonel BAILEY. This includes Thailand, of course. It includes Malaysia, Vietnam, and Cambodia.

Mr. SOLARZ. Are there Vietnamese pirates?

Colonel BAILEY. They are not Vietnamese pirates. My attachments here will show you that many, many, Thai fishing boats have been confiscated by the Vietnamese Government and attacked, and a loss of equipment.

Mr. SOLARZ. Most of the attacks, I gather, on the boat people are from fishing boats leaving from Thailand. Is this true?

Colonel BAILEY. Yes, sir, they are.

Mr. SOLARZ. What percentage of those 15,000 or 16,000 boats do you think engage in piracy?

Colonel BAILEY. Two percent.

Mr. SOLARZ. So it is a very small number?

Colonel BAILEY. Very small, sir.

Mr. SOLARZ. But it is creating a very large problem.

Colonel BAILEY. Yes.

FORMER UNITED STATES-THAI PROGRAM

Mr. SOLARZ. I would like to ask any of the witnesses who would care to respond how effective or ineffective do you believe the Thai antipiracy program that the United States funded last year, but which has lapsed, was?

Did this in any way make a significant contribution to the protection of these people?

Ms. O'Neill?

Ms. O'NEILL. During the time the antipiracy program, the very limited antipiracy program, which, I believe, had two spotter planes, one decoy boat and one cutter, during that time 80 percent of all boats arriving reported that they were attacked an average of almost four times with several murders, 600 murders, 600 rapes, and 200 or 300 abductions.

We shudder to think how bad it would have been had there not been these few marginal planes and boats out in the water. But surely given the size of the Gulf of Thailand we cannot sit and console ourselves in thinking that we are taking a serious effort to combat piracy when we send two little boats out onto the Gulf of Thailand.

Mr. SOLARZ. Is there anybody on the panel who would dissent from that judgment?

Colonel BAILEY. I would like to add to that myself. As we mentioned, there are 700,000 square miles out there. If you put the

50,000 to 60,000 boats that we are talking about in the waters in good weather, it is an impossible task for the Thai Navy and the two OV-10's that very seldom get out of the 12-mile limit. They do not go into international waters.

ATTACKS IN INTERNATIONAL WATERS

Mr. SOLARZ. And most of the attacks took place in international waters?

Colonel BAILEY. Absolutely.

Mr. SOLARZ. Is it your impression that the Thai antipiracy program, in fact, did not extend into the international waters but only confined itself to operations within the 12-mile limit?

Does anybody know for sure what the case was there?

Colonel BAILEY. We observed the OV-10's on many days flying up and down the beaches. And we monitored their program. Yes, in some cases they did go out 15 or 20 miles because I have seen them that far out. But their small boats are not capable of going into international waters that we are giving to them.

Mr. SOLARZ. So I gather the consensus is that at best the previous program had an extraordinarily limited impact on the problem. It did not hurt but it can hardly be said to have significantly helped.

POTENTIAL EFFECTIVENESS OF UNHCR PROGRAM

What would be your judgment about the potential effectiveness of the UNHCR program assuming it is implemented on the basis that has been more or less described? Is there any reason to believe that this would be more effective than the previous program?

Mr. RUSTIN. Mr. Chairman, I, too, have tremendous respect for the Government of Thailand. It has borne a great burden.

However, I believe that we have to analyze the term that is now being used, which is "humane deterrents." One of the reasons that I emphasize that I thought if the United States were going to put in additional funds it should have some presence there, because there is really some evidence to indicate that in part the Thai Government may well look upon this matter in precisely the way I believe you were trying to get Mr. Vine to admit that he was looking at it; that somehow or other we can deal with the refugee program by permitting people to be harmed and then they would not leave.

I do not believe such a proposition is morally sound and it certainly is not politically so because when people know they have to face this kind of thing and still come, their reasons for not coming are not this deterrence, it is something else.

And I believe we have to monitor wherever we put money in and to assist on some input if the program is ever to be affected.

Mr. SOLARZ. Let me get back to the question I had asked previously. Do any of you believe the UNHCR program will be significantly more effective than the previous program?

Ms. O'NEILL. If I might just comment, I think it could be marginally more effective if it was combined with more serious apprehension.

During the time that the last program was in force, less than 1 percent of the reported pirate attacks actually had people who

were called to trial, and even a much less percentage of those were convicted.

So I think it should be combined with stronger apprehension.

Mr. SOLARZ. Ms. Stevens.

Ms. STEVENS. The UNHCR-Thai antipiracy program I think can be very effective as far as it goes, as we have stated before. It is limited with primary patrols and overflys near coastal waters as I think has been stated.

And as Ambassador Vine stated, a majority of the piracy is taking place in international waters and we have no effective program there.

Mr. SOLARZ. What I am trying to establish for the record is your feeling that the UNHCR program while helpful will still leave the problem largely unresolved?

Ms. STEVENS. Within the area where they are not patrolling, yes, the problem will be unresolved.

SEA PLAN

Mr. SOLARZ. Your suggestion was for the establishment of this special operation with, I think, 20 wooden-hulled ships patrolling and two steel-hulled ships as mother ships.

Does the rest of the panel have a view as to how effective that program would be, assuming it could be established?

Do you see this as an effective solution to the problem?

Colonel Bailey, do you have a view on that?

Colonel BAILEY. I would just like to say this, Mr. Chairman, that I have made three trips recently to Geneva with the UNHCR people, as I mentioned before in working closely with the Bangkok-UNHCR people in Song Khla. My only feeling is that they have no strings attached to the money that was given; the 12 countries that gave them money, including our own country, has no strings attached.

The program that they are initiating, I am very familiar with. I give great credit to the International Red Cross in their efforts, and they are really trying, too.

I want to add one comment here which is very, very important. On November 24 I came across an incident in which 72 people had just been killed. I turned this over to the UNHCR. On November 25 onboard my ship I had ABC with me. They televised this whole scene. I have pictures of this. We have three live witnesses. Six months later, still nothing has been done.

So is their program going to improve? They have a protection agency. Who are they protecting? My only feeling here is that something has to be done to put the pressure on the UNHCR to push these programs.

Mr. SOLARZ. What is your feeling about the SEA proposal? You have heard the testimony.

Colonel BAILEY. It would take at least 1,000 or 2,000 to police the 700,000 square miles that we are talking about. You have three sectors, that we are speaking of, to police. In those three sectors that you have, you have the nine provinces that I was speaking of that those fishing boats and fleets work out of.

Strategically located you could work this with less ships. But, again, if we have 1,000 radio-type trawlers working with us, identifying the boats as they see them, helping them, working with us, I think this could be a solution to it, along with the United Nations, working together.

COOPERATION OF 1,000 TRAWLERS

Mr. SOLARZ. You say you have already enlisted the cooperation of 1,000 Thai fishing boats?

Colonel BAILEY. I have contacted three provinces, the most southern provinces that have been hit the worst. They want help. They need help. They have written to the Prime Minister to ask for help themselves. By helping them, they are helping us.

Mr. SOLARZ. You said you had 1,000 Thai fishing boats?

Colonel BAILEY. More than 1,000 with small radios.

Mr. SOLARZ. They have agreed to cooperate?

Colonel BAILEY. They have agreed to cooperate.

Mr. SOLARZ. Do you need any assistance to get this off the ground?

Colonel BAILEY. I am leaving for Thailand this coming week. I just came from there and I am going back. This is my priority, to continue to work with the Thai personnel, my Thai friends, and people to get this thing going.

I feel that this is the only solution to this problem, working with the United Nations as well, of course, and with the Thai Government.

But the fishing fleet wants to do something themselves. They are very upset with the Thai Government because they are not protecting them. So I think we have something here that could work for us.

Again, the Thai police, the chief of police, the deputy, General Narong, is now putting pressure on the local governors to do something about the pirates in the area.

PULL FACTOR

Mr. SOLARZ. You are all familiar with some of the boat people who have managed to arrive in Thailand. Supposing somehow or other a genuinely effective antipiracy program could be established, do you believe that it would constitute a significant pull factor and that the number of boat people leaving Vietnam would substantially or significantly increase?

Ms. Stevens.

Ms. STEVENS. We really do not believe that it would. Most of the refugees, in fact, all of the refugees that have been interviewed indicate that they are aware of the dangers and have made the decision to leave anyway.

And we don't feel that there would be a significantly greater number of people leaving Vietnam.

Mr. SOLARZ. Ms. O'Neill or Mr. Rustin?

Mr. RUSTIN. I certainly agree with the last statement completely.

Mr. SOLARZ. Mr. Phuoc, would you perhaps have a judgment to offer us on this? You left by boat in spite of the fact that you knew that piracy might be a problem.

Do you think that there are many Vietnamese who would be likely to leave by boat if they no longer had to fear the possibility of being attacked by pirates once they were at sea?

Mr. PHUOC [through interpreter]. If that is the case, then they will continue to leave the country.

Mr. SOLARZ. They are leaving the country. There are Vietnamese who are leaving the country right now.

The question is whether more would be likely to leave the country if the piracy problem could be eliminated?

Mr. PHUOC [through interpreter]. I feel that the same number of people would leave the country.

ABSENCE OF STATE WITNESS

Mr. SOLARZ. I have one final question. I regret the fact that Ambassador Vine saw fit to flee the hearing rather than wait for questions. I intend to schedule another hearing of this committee to pursue further many of the questions which came up today. I think his absence from the duration of the hearing is a sad commentary on the concern of his Bureau for this problem.

I recognize that he had hoped to respond to questions before the rest of the panel testified, but in view of the time constraints I thought it best to proceed in the way we did.

And in my 8 years here, never before has a State Department witness walked out on a hearing in the midst of it and refused to answer questions in the process.

And frankly, I consider it a disgrace. I intend to convey my views on this in the strongest possible terms to the Secretary of State and to the President himself who, I believe, has expressed his concern over the piracy problem and whom, I am sure, would be appalled if he found that one of his appointees, because of bureaucratic sensitivities, left a hearing without remaining to answer a whole slew of legitimate questions.

Mr. PRITCHARD. Mr. Chairman, I do not mind you beating up on Ambassador Vine, but I think we ought to first find out what he thought were the ground rules before we lacerate him. After we have talked to him, why then I think we will have time to chew him up.

I think it is always kind of tough to beat somebody up when they are not here. I do not know why he left and I wish he did not. But I think we ought to wait.

THAI COOPERATION BASED ON RESETTLEMENT PROMISES

Mr. SOLARZ. There is one final question I would like to ask. It seems to me that the real dilemma here is this, that any truly effective antipiracy program is likely to create the impression to the Thais that it will result in an increase in the number of boat people. Whether it does or does not, they undoubtedly believe it will.

No conceivably effective antipiracy program can possibly be implemented without the cooperation of the Thais. To the extent the Thais believe that an effective antipiracy program is going to result in more Vietnamese refugees in Thailand, they will not

agree to cooperate unless they have assurances that those refugees will be resettled in other countries.

From their point of view that is not an unreasonable position to take and I am entirely sympathetic with that. But if that will be their position, and I think we all know it will be, then we run smack into what seems to be the new policy of our own Government, which is that we will not take in any Vietnamese refugees or Cambodian refugees or Laos refugees who do not have relatives in the United States or have not worked for our Government or for the previous government in their own countries, which means that we would presumably not be able to give the Thai Government resettlement assurances for refugees rescued at sea who might otherwise have been the victims of pirates.

If we do not give those assurances, then how do we get the cooperation of the Thais? Perhaps some of you can address what seems to me to be the underlying dilemma here.

Let me just say, finally, that unless we are prepared in some fashion or another to respond affirmatively to this very legitimate Thai concern, any talk on the part of our Government about how this problem disturbs us and bothers us is sheer prattle and essentially hypocritical. That would seem to me to be the sine qua non for an effective response. But I would be interested in your reaction.

Ms. O'NEILL. Mr. Chairman, when Bayard Rustin and I were in Thailand we had the opportunity to meet with the heads of several of the Ministers of Thailand. And the topic of the desirability of the Vietnamese in terms of their resettlement opportunities came up.

And I remember specifically one of the Ministers saying to us that at least in his perception that the Vietnamese, there was no trouble resettling them because many, many countries wanted them.

I am not sure it is only a problem that is the United States problem. And if it does become a problem that there are more people there, there are other responsible, more caring countries in the world who have very successfully settled numbers of Vietnamese refugees.

PIRACY AS DETERRENCE

I would like to say one other thing, and that is that in our testimony we note the act of flight is as basic a decision as a human being will ever be called upon to make. And it is not taken frivolously. The threat of pirate attacks may deter a few, but is this sufficient reason for the world to tolerate mayhem at sea as just another aspect of humane deterrence? It is not.

Mr. SOLARZ. Mr. Rustin, and then I will yield to Mr. Pritchard.

Mr. RUSTIN. Mr. Solarz, we in the International Rescue Committee see this dilemma very clearly. It is for that reason that in our general report when we came back we were proposing that up to 30,000 of these people be brought in under the quota which was already there for Southeast Asia would not require an additional person.

We see this. And I believe that the reason the Thai Government is engaged in this humane deterrence, which ends up often being very inhumane, is precisely because they are giving a signal to the world that they want the United States, France, and other countries to take more of these people out.

And I think there is a very real connection between these.

Mr. SOLARZ. Mr. Pritchard.

FAMILY REUNIFICATION

Mr. PRITCHARD. Thank you, Mr. Chairman. I think there is not any question that this is a major point. We have the added problem that we have many, many, broken families now with part of the family here and part of the family over there.

There is a feeling that on the priority list reunifying families should come ahead of new people coming in. We must do what we can to get the split families together.

Our response, I think, in the past has been very good despite the enormous pressure we are getting now opposed to the Vietnamese and the refugees.

I do not have to tell you people if you go out and do town meetings in your district, this is something you have to take on over and over and over, particularly if you come from an area like Seattle, which is one of the largest refugee centers.

The other thing that is happening is that we have people coming to the United States in one place and then leaving and going to another place. So in areas of California, in areas of Texas, in areas of the State of Washington and places like that we are getting a much higher percentage than just a cross section.

You also have the unemployment today with many, many people saying, why are you bringing these people in taking jobs when we do not have jobs for our own people? So there is a whole variety of things that are coming together at one time to make it difficult.

I do not see how you can have an effective program against the pirates unless you have cooperation with the fishermen, cooperation at the local authority, some type of patrol activity, certainly a strong support from the National Government and dollars from the international community. And all of those things have to be in there to make it successful.

PARAMETERS OF ATTACKS

I guess I would have to ask you, what are the parameters; you say 700,000 square miles, what are we talking about?

Colonel BAILEY. We are talking about from Bangkok, Putnam, the most northern Province, down to Singapore.

Mr. PRITCHARD. Is that the same as from New York Harbor all the way down to northern Mexico?

Colonel BAILEY. It is roughly 785 miles.

Mr. PRITCHARD. 785 miles, I see, across?

Colonel BAILEY. Across, yes, sir.

Mr. PRITCHARD. That is still large. That is all the way from the bottom of Florida, I believe.

Colonel BAILEY. There is a lot of water out there.

FISHERMEN TURN TO PIRACY

Mr. PRITCHARD. There is an enormous amount of water.

I would like to know this about the pirates, are the pirates fishermen who kind of freelance into pirating?

In other words, if you look at the boats, do they look like any other boat except these people besides fishing also do pirating?

Do they go in and out or is there a clear demarcation between what they do and what the fisherman do?

Colonel BAILEY. Definitely. In one province alone even the police know who these people are. They have complete documents on them. And they are a certain group; as I mentioned, 2 percent of the total Thai fishing fleet.

These people's mode of operation is well known. And they operate with large boats with good radar and with good radios. And in most cases they are supplied with automatic weapons 20 or 30 miles out after they go out in international waters.

The other group in this category are the smugglers; the gunrunning and smuggling dope and this sort of thing. And we do have an awful lot of boats now, opportunities, because the fishing is not too great right now.

LOCAL PRESSURE NEEDED BY AUTHORITIES

Mr. PRITCHARD. These local authorities, if they know who they are, is there any incentive for bringing charges against them and picking them up?

What is the incentive for local authorities?

Colonel BAILEY. Let us just take any one province. You have a Governor that governs that area. You have the local police in that area and he has a union; that is, the fishing fleet. He has some good guys and he has some bad guys.

Mr. PRITCHARD. I should think in this case the fishing union would be very, very anxious for these people to be picked up, is that correct?

Colonel BAILEY. Very much so. I have some clippings that I will attach.

Mr. PRITCHARD. If that is the case, all the political pressure on the local Governor should be to rid themselves of these pirates who undoubtedly make it tough for the fisherman?

Colonel BAILEY. Absolutely, sir. This is where the radios would come in handy. And they will report by radio that somebody is being attacked; that a boat is being attacked. If you know the Thai, they hold grudges. They are beautiful people, but they will get even with you. So they will not verbally tell somebody that this boat attacked another one.

And the November incident that we actually witnessed and saw, and we have all the evidence in the world to put these people behind bars, they still are free 6 months later.

And this goes back, again, to the United Nations and the UNHCR people and the protection agency. They have to push. They have to work with the local police and the local authorities.

PAYOFFS

Mr. PRITCHARD. I am a little bit confused here. The large group are the fishermen. And unless somebody is paying somebody off, then it is to the advantage of the Governor and the local authorities to pay attention to the large majority?

Colonel BAILEY. Definitely. Yes, sir.

Mr. PRITCHARD. If these 2 percent are getting away with this and the local authorities know who they are but are not moving against them, are they being paid off?

Colonel BAILEY. Yes, sir. That is our problem.

UNCONSCIONABLE SITUATION

Mr. SOLARZ. I am afraid we are going to have to bring the hearing to an end because of the fact that Secretary Haig is about to come.

Before you go, let me say that you will all be happy to hear that before he left a little bit earlier, Congressman Hyde told me that he was so moved by the testimony he heard that he has come to the conclusion that we ought to increase the $5 million supplemental appropriation to $7 million and really make an effort to get the administration to move forward in this regard.

I think that what you have said has been very helpful. This is an unconscionable situation. And while obviously we do not have the responsibility alone for dealing with this, it is an international problem.

I would like to believe that our country is compassionate enough and concerned enough so that it will take the leadership in this effort. That is what makes America great; the fact that we do have a government and a people who are moved by the plight of the unfortunate and of the defenseless.

I cannot believe that there is a single Member of Congress who had he or she heard the testimony we have heard today, would not be determined within the limits of our own capacities to do something genuinely effective to help these people. I am sure that the other members of the subcommittee will join with me in that effort.

PRIVATE EFFORTS TO BE COMMENDED

I think that you have performed a great service. Hopefully out of this hearing today and subsequent actions we take, will come the kind of increased effort which will save countless boat people in the future from the horrors which you all so eloquently and frightfully described.

I want to thank you very much for coming. The hearing is adjourned.

[Whereupon, at 3:48 p.m., the hearing was adjourned.]

APPENDIX

SUPPLEMENTARY QUESTIONS AND ANSWERS PRESENTED BY HON. RICHARD D. VINE, DIRECTOR, BUREAU OF REFUGEE PROGRAMS, DEPARTMENT OF STATE

Q: To what extent are boat refugees leaving Vietnam aware of the dangers facing them at sea?

A: We cannot be sure but we believe they are very much aware of these perils. There is extensive correspondence between refugees who have arrived in the United States and elsewhere and judging by the Vietnamese-American community's concern over this matter, I believe they have communicated with their friends and relatives in Vietnam. Also, the Voice of America and other international media have broadcast news and feature items describing vividly the brutality and frequency of pirate attacks on refugees. There are refugees presently in Southeast Asian camps who report having heard such broadcasts prior to departure and ignoring the warnings variously because they were not believed, circumstances in Vietnam were such that escape, whatever the hazards, was the only alternative, or that somehow the heavy odds of being attacked could be beaten.

Q: Would an anti-piracy program act as a magnet to draw out large numbers of refugees from Vietnam? Can protection of refugees fleeing Vietnam be provided without creating a significant "pull factor"?

A: Not necessarily, since there are a number of factors at work in this situation. If refugees were to receive protection from all hazards of sea travel -- not simply from pirate attacks but also from bad weather, heavy seas, unfavorable currents, exposure, hunger and thirst -- more might attempt to escape in that fashion. Other variables, such as the ability of SRV security forces to prevent departures, the receptivity or lack of it by countries on the periphery of the South China Sea, and the prospects for resettlement in third countries, would act independently of anything that might be done to protect refugees from pirates or from other dangers of sea travel.

On the more positive side, an effective mechanism for legal departure, such as the ODP, serves as an alternative secure route irrespective of how well refugees might be protected during a voyage. We believe that an anti-piracy program can make it somewhat safer for refugees who decide to depart illegally but would not, by itself, constitute an inducement to flee.

Q: When will the UNHCR anti-piracy program begin? Has its start been delayed? If so, why? What specific efforts has the U.S. undertaken to broaden participation in the UNHCR program, i.e. encouraging other nations to become donors, seeking additional resettlement guarantees for refugees rescued at sea, etc?

A: We hope that negotiations will be completed without delay in the next few weeks. There were delays before the negotiations stage was reached, however, last fall; it took some weeks for the ICRC and UNHCR to mobilize the international community to support the program. Then it required several weeks for the UNHCR and the Thai Government to agree on the size of a successor program, that is, one which would be large enough to produce results but not so large as to make adequate international funding unattainable. Finally, the fund-raising effort itself was protracted despite the relatively small magnitude of the program and the contributions required and despite appeals from world leaders, including in October 1981, President Reagan, for donations. Some nations and organizations initially had doubts about the appropriateness of a humanitarian agency, UNHCR, funding activities by military forces. The Department supported several UNHCR efforts in demarches to potential donors, culminating in a personal appeal by Secretary Haig to a number of his counterparts which, it is fair to say,

succeeded in generating additional contributions sufficient to reach the required $3.67 million.

It was also necessary to draft and negotiate an agreement acceptable not only to the RTG and which also met the peculiar legal or political requirements of individual donor countries. Throughout this process, too, it should be noted, that the UNHCR was operating on unfamiliar ground in that the organization had never before negotiated an agreement involving the military and public security forces of a sovereign state as the implementing agencies of a humanitarian project.

Q: If the number of boat refugees increases after an anti-piracy program is inaugurated, will the U.S. be expected to provide guarantees of resettlement, for refugees, in order to induce the countries in the region to keep the program in operation?

A: If the number of boat refugees increases for <u>any</u> reason, we would expect that all of the resettlement countries would respond in an appropriate fashion to preserve the principle of first asylum were it threatened as a result of such increases.

Q: During the 1981 anti-piracy program, what happened to refugees who were rescued at sea? Did the U.S. give the Thai Navy guarantees that refugees rescued under the anti-piracy program would be resettled in the United States?

A: Those refugees who were rescued at sea by the Thai during anti-piracy operations, about 60 in number, entered the normal refugee-processing stream. The U.S. was not required to issue resettlement guarantees for these individuals.

Q: Has the reduction in U.S. resettlement numbers for Indochinese refugees during the current fiscal year increased the apprehensions by the first asylum countries that they will be left with a permanent pool of refugees in their countries? Has this made them less willing to cooperate in anti-piracy activities?

A: First asylum countries have always been concerned about the possibility of a residual refugee population. We have over the years attempted to allay such fears, and the number of resettlement numbers in the U.S. program this year, combined with those of other countries, are sufficient to carry out our responsibilities in this respect.

I should also note that the first asylum countries generally seem to pay more attention to their overall refugee population levels and trends in those levels than to absolute numbers of arrivals or departures. Those population levels are on the decline throughout the Southeast Asian region and, while anxious to see this decline continue and accelerate, first asylum states seem, on the whole, willing to accept present rates of international resettlement so long as the trend remains downward. None of the first asylum states has, in conversations with us, linked the issue of resettlement offtakes with that of cooperation in anti-piracy activities.

Q: Do you believe the UNHCR program, by itself, will effectively deter piracy? Based on the former U.S.-Thai program, can a real difference be made in preventing pirate attacks?

A: Our general views on these questions are included in Ambassador Vine's prepared statement. With respect to deterrence of pirate attacks, we do believe that the UNHCR program, like the U.S. - Thai program before it, will serve to discourage would-be pirates. It is difficult of course, to measure with statistics the deterrent value of the former bilateral program or estimate that of UNHCR plan since, for example, it is impossible to tabulate non-occurences. We believe in any event that it would be an evasion of responsibility, even if we cannot calculate and quantify the deterrent, were we not to act in this frightful situation.

Q: What efforts are being made, either by the U.S., the UNHCR or the governments of Thailand and Malaysia to locate refugees who have been abducted by pirates?

A: The Refugee Office at our Embassy in Bangkok has collected the names of more than 470 Vietnamese who have been abducted at sea and from whom nothing has been heard. This information has been provided to the UNHCR and to other U.S. refugee posts. Some of these abductees have been missing for more than two years; most kidnap victims who are rescued are rescued within three months of their abduction.

The UNHCR also collects through its field staff in Thailand the names of persons abducted at sea and provides this information to U.S. refugee officials and to its staff in other countries. When victims are rescued, usually by Thai fisherman who turn them over to local officials or release them near refugee camps, they are questioned by UNHCR personnel regarding the circumstances of their abduction and about the fate of others on their boats. It is in this way that we and the UNHCR become aware of boats lost at sea, as in many cases these kidnap victims are the only survivors of such boats.

During 1981, the UNHCR listed 243 Vietnamese abducted at sea, of whom 81 were subsequently rescued. Seven others reportedly committed suicide or drowned. During the first two months of 1982, UNHCR has named 29 kidnap victims, 17 of whom have been rescued.

The UNHCR officer responsible for locating abducted persons has also many other duties and can devote only a small part of his time to this task. When our refugee officials receive a report that an abduction victim has been located (as, for example, in a house of prostitution), we turn such information as we have in the case over to the UNHCR for investigation. We know of only one case, however, in which a kidnap victim has been sold into a Thai brothel.

Q: What is your evaluation of a suggestion to station a "non-military international observation" fleet in a safety zone between Vietnam and the Thai-Malaysian coast? Will the cooperation of Thailand, Malaysia and Vietnam be needed in order to effectively implement such a program?

A: While we cannot, without knowing the details of such an arrangement, comment fully and definitively, our general view is that it would involve political, legal and operational difficulties that could be overcome only through a protracted period of negotiations, if then. It has proved to be a long, tough struggle to bring together the international donors, the UNHCR and the Thai Government to support the relatively uncomplicated proposal which is now being discussed between the UNHCR and the RTG; drawing up, negotiating and securing international support for a more comprehensive, expensive international effort would take even longer. Certainly, all of the littoral states -- Thailand, Malaysia, Vietnam and Kampuchea -- would have to be parties to any arrangement which involved their territorial waters, claims over which are in conflict among those states. The Department does not preclude the future desirability or feasibility of an "international observation fleet" to protect refugees from pirates. For the present, however, we strongly prefer to concentrate our efforts on seeing the UNHCR program through to implementation and making it as effective as possible.

Q. What is your assessment of the amendment recently passed by this Subcommittee to authorize an additional $5 million to combat piracy in the Gulf of Thailand? How do you think this money could most effectively be used?

A. The Administration is studying this proposal. Our initial assessment is that we should give the UNHCR program a fair trial before considering additional action. There will undoubtedly be problems in effectively employing all the resources of the UNHCR program, especially during the initial period of operations. Our attention should be focused on helping make this program a success. Once the program gets underway, specific areas requiring more assistance may become apparent. We would then be in a position to consider the best method of funding any additional assistance, given the international nature of the piracy problem. We would not favor providing funds before clear and specific objectives are set. Past experience in Southeast Asia has taught us that this is not the best way to come to grips with this type of complex issue.

Q. How many refugees have been leaving Vietnam by boat monthly over the last two years? What percentage of boats are attacked by pirates? What is the average number of times each boat is attacked? What are the major crimes committed against refugees leaving Vietnam by boat by pirates?

A. Our data generally refer to the number of arrivals in first asylum, and not to the number of departures from Vietnam. We believe that, in countless tragic instances, entire boat loads of refugees have been lost at sea during storms or as the result of hunger, thirst, exposure or pirate attacks. It is only when one or more survivors arrive that we know how many refugees set out in a given boat. The data attached cover southern Thailand and Malaysia. Figures for 1982 are based solely on refugee reports. UNHCR did not collect data systematically for CY 1980 and earlier periods.

1982	January	February	March
Known departures	3,139	1,691	2,790
Persons landed	3,041	1,620	2,743
Killed by pirates	66	30	2
Other homicides	2	3	5
Abductions	29	15	18
Abductees rescued	19	3	3
Other missing	1	33	22
Missing located	-	-	15
Arrivals	3,060	1,625	2,761
Boats arrived	64	51	67
Thailand	32	24	36
Malaysia	32	27	31
Boats attacked (%)	37 (58)	27 (53)	35 (52)
Thailand	24 (75)	17 (71)	21 (58)
Malaysia	13 (40)	10 (37)	14 (45)
No. of attacks	90	72	77
Thailand	67	54	55
Malaysia	23	18	22
Attacks per boat attacked	2.4	2.7	2.2
Thailand	2.8	3.2	2.6
Malaysia	1.8	1.8	1.6
Rape victims identified*	53	30	57
Thailand	21	15	39
Malaysia	32	15	18
Assault victims	3	11	44
Thailand	3	11	34
Malaysia	NA	NA	10

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1981 (CUMULATIVE UNHCR FIGURES

	Thailand	Malaysia
Known departures	16,695	NA
Killed by pirates	571	76
Abductions/rescued	243/78	45/19
Other missing	-	3
Arrivals	15,095	23,111
Boats arrived	455	445
Boats Attacked (%)	352 (77)	157 (35)
No. of attacks	1,149	311
Attacks per boat attacked	3.3	2.0
Rape victims identified*	599	285

*Does not include abductees, who are also usually victims of rape; unknown number of additional victims do not identify themselves out of shame, guilt, fear or embarrassment.

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Q. What actions does the 7th Fleet take at the present time to rescue endangered refugees at sea? To what extent, if any, would current U.S. policy on military vessel rescue efforts be affected by the UNHCR program? Can additional efforts be made by the U.S. in conjunction with the UNHCR program? If not, why not?

A. Within the limits of normal operations, all 7th Fleet units are to be vigilant to the possibility of encountering refugees, and if encountered, extend humanitarian assistance as required. The UNHCR program would not affect current U.S. policy with respect to assistance to endangered refugees by naval units.

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